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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

Tuesday, January 9, 2007 2:00 PM

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Jew	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick moved to approve the Board Meeting Minutes for November 21, 1006, Dcember 5, 2006 and December 12, 2007. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061584 **[Defining material collected for recycling to be solid waste under prevailing wage/displaced worker ordinance pertaining to City Contracts for hauling of solid waste.]**

Supervisors Peskin, Daly, Dufty, Mirkarimi, Ammiano

Ordinance amending Administrative Code Section 21.25-5 - requiring payment of prevailing wages to workers engaged in the hauling of solid waste generated by the City in the course of City operations, and retention of such workers upon a change in contractor - to include material collected for recycling in the definition of solid waste.

FINALLY PASSED

3 1223 07086 9178

Recommendations of the City Operations and Neighborhood Services Committee

061469 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,030 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program" for fiscal year 2006/2007. (District Attorney)

ADOPTED

061528 [Accept-Expend Federal Grant - Disability and Healthcare Insurance Fraud Program]
Supervisor Elsbernd

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $100,000 through the California Department of Insurance for a program entitled "Disability and Healthcare Insurance Fraud Program" for fiscal year 2006/2007.

ADOPTED

061620 [Reprogramming of $128,157 from SFGH's equipment budget to purchase a third van for the Mobile Methadone Program]
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram $128,157 in funding approved in the budget for San Francisco General Hospital (SFGH) for medical chairs, tables and information technology, to purchase instead, a large RV-size vehicle (Van) for the DPH Mobile Methadone Program in FY 2006-07. (Public Health Department)

ADOPTED

061642 [Accept-Expend Funds - Cold Case Program]
Supervisor Elsbernd

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $394,891 from the Department of Justice, Office of Justice Programs, for a program entitled "Cold Case Program," for the period October 1, 2005 to September 30, 2007.

ADOPTED

061670 [Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]
Supervisor Elsbernd

Resolution authorizing the Department of Public Health, Laguna Honda Hospital & Rehabilitation Center to accept a gift of van valued in the amount of $39,889.16 from the Laguna Honda Hospital Volunteers Inc., for use in the transportation of LHH residents off campus. (Public Health Department)

ADOPTED

Recommendations of the Rules Committee

061611 [Extending term of Back Streets Business Advisory Board]
Supervisor Maxwell

Ordinance extending for an additional nine months the term of the Back Streets Business Advisory Board.

FINALLY PASSED

061677 [Appointment - Shelter Monitoring Committee]
Resolution appointing Maxine Pauson, Elizabeth Olsen, Diana Valentine, Kim Clark and Damian Ochoa, terms ending November 23, 2008, to the Shelter Monitoring Committee.

Maxine Pauson, succeeding herself, term expired, seat 1, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Elizabeth Olsen, succeeding herself, term expired, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Diana Valentine, succeeding herself, term expired, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2008.

Kim Clark, succeeding Bianca Henry, term expired, seat 4, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Damian Ochoa, succeeding himself, term expired, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

ADOPTED

061678 [Appointment - Developmental Disabilities Area Board V]
Resolution appointing Donna Adkins, term ending December 31, 2007, to Developmental Disabilities Area Board V.

Donna Adkins, succeeding Jennifer Walsh, resigned, seat 2, must have a demonstrated interest and leadership in human services, for the unexpired portion of a three-year term ending December 31, 2007.

ADOPTED

061590 [Appointment - SRO Task Force]
Resolution appointing Suresh Patel, Dipak Patel, Seth Katzman, Christina Olague and Wai Ching Kwan to the SRO Task Force, terms ending December 31, 2009, residency requirement waived.

Suresh Patel, new appointment, seat 2, must be a private SRO owner/operator, for a three-year term ending December 31, 2009.
Dipak Patel, new appointment, seat 3, must be a private SRO owner/operator, for a three-year term ending December 31, 2009.
Seth Katzman, new appointment, seat 4, must be a non-profit SRO owner/operator, for a three-year term ending December 31, 2009.
Christina Olague, new appointment, seat 5, must be a representative of the Mission SRO Collaborative, for a three-year term ending December 31, 2009.
Wai Ching Kwan, new appointment, seat 7, must be a representative of the Chinatown SRO Collaborative, for a three-year term ending December 31, 2009.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

061453 [Police Foot Patrols]
Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

NOTE: This action requires a two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the ordinance on December 15, 2006. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before January 14, 2007.

Motion to override the Mayor's Veto passed by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peksin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

From the Clerk

061096 [Adopting findings related to affirming the categorical exemption issued for the 538 Laidley Street project]

Motion adopting findings related to affirming the determination by the Planning Department that the project at 538 Laidley Street is categorically exempt from environmental review under the California Environmental Quality Act ("CEQA").

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Budget and Finance Committee

061478 [Appropriating $2,006,473 for Violence Prevention Programming in the Juvenile Probation Department and the Department of Children, Youth and Their Families for Fiscal Year 2006-2007]
Supervisors Daly, Dufty

Ordinance appropriating $1,000,000 from the Children's Fund, $779,370 of General Fund Reserve and $227,103 in Juvenile Probation Title IV-E (Foster Care) funds for violence prevention programs, including $423,021 in the Juvenile Probation Department for six additional Deputy Probation Officers and two Juvenile Counselors, and $1,583,452 in the Department of Children, Youth and Their Families for violence prevention contracts for Fiscal Year 2006-2007.

Supervisor Mirkarimi requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

061497 [Public Employment - Department of Elections]
Supervisor Sandoval

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9770, Community Development Assistant, and a 9772, Community Development Specialist in the Department of Elections, REG.

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

Recommendations of the Land Use and Economic Development Committee

Supervisors Dufty and Mirkarimi excused from voting

061519 [Condominium conversion lottery extension to 2008]
Supervisor McGoldrick

Ordinance amending Subdivision Code Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; repealing Section 1396.1 to delete condominium conversion lottery provisions that are void by their own terms; adding Section 1396.1 to reenact the condominium conversion lottery process from 2005 and to establish provisions concerning the standby list selection process; and making environmental findings. (Public Works Department)

Supervisors Dufty and Mirkarimi were previously excused.

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

061538 [Exemption of housing for victims of domestic violence from compliance with the Uniform Visitor Policy for Residential Hotels]

Supervisor Peskin

Ordinance amending Section 41D.1 those of the San Francisco Administrative Code to exempt from the requirements of Chapter 41D residential hotels that are operated by non-profit agencies to provide housing and supportive services to victims of domestic violence.

Supervisor Mirkarimi requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

061342 [Establishing City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Plans Area]

Supervisors Maxwell, Ammiano, Peskin, McGoldrick

Resolution establishing City and County of San Francisco policy for the Eastern Neighborhoods Rezoning and Community Plans Area.

Supervisors Mirkarimi and Daly requested to be added as co sponsors.

Supervisor Peskin, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

061545 [Settlement of Lawsuit - Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. CCSF, et al.]

Ordinance approving settlement of litigation brought by Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust to quiet title as to the City and County of San Francisco in certain utility easements, in the action entitled Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. City and County of San Francisco, et al. (San Francisco Superior Court No. CGC-05-440100, filed April 5, 2005), for a total value of $136,000.00. (Real Estate Department)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061586 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Emergency Services Division]
Mayor

Resolution authorizing the Department of Emergency Management, Emergency Services Division, to accept and expend a Federal pass through grant in the amount of $776,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061640 [2007-2010 Children Services Allocation Plan]
Mayor

Resolution approving the Children Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter. (Mayor)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

061683 [Amending the Open Video System Franchise Granted to RCN Telecom Services, Inc.]
Mayor

Ordinance amending the Open Video System Franchise Granted to RCN Telecom Services, Inc. in Ordinance No. 210-04 as a condition of the transfer of the franchise to Astound Broadband, LLC by amending Sections 1, 34, 46, and 92.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061684 [Transfer of Open Video System Franchise]
Mayor

Resolution approving with certain conditions the transfer to Astound Broadband, LLC. of the open video system franchise granted to RCN Telecom Services, Inc.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061530 [Landmark Designation nomination for tree located at 733 27th Avenue]
Supervisor McGoldrick

Resolution of intent initiating the nomination of the Holly Tree (Ilex Aquifolium) located at 733 27th Avenue (Assessor's Block 1617, Lot 003) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061693 [Landmark Designation nomination for tree located at 730 28th Avenue]
Supervisor McGoldrick

Resolution of intent initiating the nomination of the California Buckeye located at 730 28th Avenue (Assessor's Block 1617 Lot 030) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

061211 [Post-Disaster Safety Assessment Placards]
Mayor

Ordinance amending the San Francisco Building Code by adding Section 102.21 to require official placards to be used to warn of unsafe building occupancies following disasters; and adopting findings.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061114 [Amending the Board's Rules to include an item on the calendar once a month for the Mayor to appear in person before the Board and engage in formal policy discussions with members of the Board]
Motion adding Rule 3.9.1 to the Board of Supervisors' Rules of Order, to include an item on the Board's calendar once a month for the Mayor to appear in person before the Board and engage in formal policy discussions with members of the Board.

Amended by inserting by replacing "Tuesday" with the "regularly scheduled meeting."

APPROVED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

SPECIAL ORDER 3:00 P.M.

061417 **[Hearing -Tentative Parcel Map, 455 Buena Vista East]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista Avenue, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

The President inquired as to whether or not any member of the public wished to address the Board.
Continued to January 23, 2007

Supervisor Dufty, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061487 **[Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]**

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 23, 2007

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061488 **[Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]**

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 23, 2007

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061489 **[Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 23, 2007

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061379 [Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

The President inquired as to whether or not any member of the public wished to address the Board.
Continued to January 23, 2007

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Committee of the Whole Adjourn and Report Without Recommendation

061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]
Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

Continued to January 23, 2007

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061706 **[Mayor's Appointment, Taxi Commission - Patricia Breslin]**

Hearing to consider the Mayor's appointment of Patricia Breslin to the Taxi Commission.

The President inquired as to whether or not any member of the public wished to address the Board.
Patricia Breslin
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

(Only one of the following two motions should be adopted.)

Supervisor Jew Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved to excuse Supervisor Jew, at his request, because of possible conflict of interest, from voting.. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew

061707 **[Mayor's Appointment, Taxi Commission - Patricia Breslin]**

Motion approving the Mayor's appointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2007. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew

061708 **[Mayor's Appointment, Taxi Commission - Patricia Breslin]**

Motion rejecting the Mayor's appointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2007. (Clerk of the Board)

TABLED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

061396 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 3300 Clay Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 26, 2006, granting a Categorical Exemption from the California Environmental Quality Act (Building Permit Application No. 2006.02.27.5519) the proposed project at 3300 Clay Street, Lot 003 in Assessor's Block 0997. The proposal to remodel the ground floor, excavate and install a six-car garage and install a new opening in the side of the building for access to the garage. (Appellant: Douglas D. Cain)

(Filed October 13, 2006; companion measure to Files 061397, 061398, 061399, District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.
Douglas Cain, Appellant
Lisa Gibson, Planning Department representative reviewed with the Board the Planning Department's recommendation.
Scott Jacks, Project sponsor

Rebuttal Period:
Douglas Cain, Appellant

The President inquired as to whether or not any other member of the public wished to address the Board.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

061397 [Affirming the categorical exemption issued for 3300 Clay Street project]

Motion affirming the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

061398 [Disapproving the categorical exemption issued for 3300 Clay Street project]

Motion disapproving the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

061399 **[Preparation of findings related to the 3300 Clay Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3300 Clay Street is exempt from environmental review under the California Environmental Quality Act.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Library
Michael Kwok; showed support for Patricia Breslin for Taxi Commissioner
Walter; shared with the Board memorablia
Alex Reyes; expressed concern with issues relating to DPT and MTA.
Rodney; expressed concen with issues relating to SFGiants and Police patrols
Peter Warfield; expressed concern with issues related to the SF Library
Slyvia Johnson; expressed concern with general issues
Taxi cab driver; expressed concern with issues relating to unqualified taxi ca drivers

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

061698 **[Modifying provisions of resolution 10,435]**
Supervisor Elsbernd

Resolution urging the San Francisco Public Utilities Commission to work with the San Francisco Recreation and Parks Commission to modify provisions of resolution 10,435.

ADOPTED

061699 [Urging the Recreation and Park Department to install a new bathroom at Alamo Square Park]
Supervisor Mirkarimi

Resolution urging the Recreation and Parks Department to install a new bathroom at Alamo Square Park.

ADOPTED

061701 [Accept-Expend Foundation Grant - Department of the Environment]
Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $50,000 from the Aryshire Foundation to redesign the San Francisco EcoCenter at 11 Grove Street to make it an interactive space that educates and informs residents about Climate Change and its potential effects on the City and County of San Francisco and provides information on solutions to the challenge of Climate Change.

ADOPTED

061702 [Accept and Expend State Grant - Department of the Environment]
Supervisor Mirkarimi

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $49,980.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Construction and Demolition materials in the City and County of San Francisco.

ADOPTED

061703 [Expressing concern about the decline in minority enrollment over the last decade at University of California campuses and urging the UC Regents to take proactive steps to increase diversity]
Supervisor Sandoval

Resolution expressing concern about the decline in minority enrollment over the last decade at University of California campuses and urging the UC Regents to take proactive steps to increase diversity.

ADOPTED

061710 [Final Map - 1905 - 1911 Mission Street]

Motion approving Final Map 3884, a 25 Unit Mixed- Use Condominium Project, located at 1905 – 1911 Mission Street being a subdivision of Lot 27 - 30 in Assessors Block No. 3553 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

061690 **[Committee of the Whole January 9, 2007 at 3:00 p.m. - Consideration of Mayor's Appointment of Patricia Breslin to the Taxi Commission]**

Motion directing the Board of Supervisors to sit as a Committee of the Whole on Tuesday, January 9, 2007 at 3:00 p.m. to consider Mayor's appointment of Patricia Breslin to the Taxi Commission.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070010 **[Commending Kay Gulbengay]**

Supervisors Peskin, Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval

Resolution commending Kay Gulbengay on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 40 years of service to the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

061663 **[Public Works - Encroachment under Halleck Street between Battery and Front Streets]**

Ordinance granting revocable permission pursuant to Public Works Code Section 786 to Steven M. David to occupy a portion of the public right-of-way to install an underground encroachment under Halleck Street between Battery and Front Streets to provide electrical service to 212 California Street (Assessor's Block 0237, Lot 007) conditioned upon the payment of an annual assessment fee as set forth in Public Works Code Section 2.1.1(h)(iii) for underground vaults and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

12/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061666 **[Settlement of Lawsuit - Omari McGee]**

Ordinance authorizing settlement of the lawsuit filed by Omari McGee against the City and County of San Francisco for $75,000.00; the lawsuit was filed on March 10, 2006 in United States District Court, Case No. C06-1621 CRB; entitled Omari McGee v. City and County of San Francisco, et al. (City Attorney)

12/14/06, RECEIVED AND ASSIGNED to Rules Committee.

061667 **[Settlement of Lawsuit - John Curran]**

Ordinance authorizing settlement of the lawsuit filed by John Curran against the City and County of San Francisco for $32,186; the lawsuit was filed on April 4, 2006 in San Francisco Superior Court, Case No. 450-899; entitled John Curran v. City and County of San Francisco, et al; other material terms of said settlement are that Curran will receive the equivalent of six (6) working days of sick leave with pay credits and eight (8) working days of vacation allowance credits. (City Attorney)

12/14/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

061097 **[Real Property Exchange Agreement]**

Resolution approving a real property exchange agreement between the City and County of San Francisco and the Petrocchi Family Trust and Bravo 5 Trust (the "Trust") pertaining to property located at Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission ("SFPUC") to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

12/22/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061664 **[Airport Lease and Operating Agreement]**

Resolution approving the exercise of the first of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

12/6/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061665 **[Approval of a 20 year agreement for sewage treatment and disposal services for the San Bruno Jail]**

Resolution approving the Agreement between the City and County of San Francisco (Sheriff), The Westborough County Water District (Westborough) and The North San Mateo County Sanitation District (District) for sewage treatment and disposal services for the San Bruno Jail, resulting in a contract term of 20 years, pursuant to San Francisco Charter Section 9.118(b). (Sheriff)

12/11/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061704 **[Settlement of Contractual Dispute and Unlitigated Government Claim]**

Resolution authorizing settlement of an unlitigated claim filed by Schram Construction, Inc. against the City and County of San Francisco for $77,587.00; other material terms of said settlement are: (1) each party shall mutually release each other from all claims arising from the performance of PUC Contract CW 263R2 except for latent defect, warranty work, and punch list work as outlined in the settlement agreement; (2) Schram Construction, Inc. will withdraw the government claim #06-03356 it filed on or about June 22, 2006 against the City and County of San Francisco; and (3) Each party shall bears its own legal costs and fees. (City Attorney)

12/14/06, RECEIVED AND ASSIGNED to Rules Committee.

061705 **[Public Auction]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

12/20/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:47 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

***City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689***

MEETING MINUTES - DRAFT

VOTES
DOCUMENTS DEPT.
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Tuesday, January 23, 2007 2:00 PM

**Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

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12 /07

*AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL*
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Commissioners Chin, Commissioner Kelly, Commissioner Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Jew	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01 p.m. On the call of the roll Supervisors Maxwell, McGoldrick, and Sandoval were noted absent.

There was a quorum.

Supervisors Maxwell, McGoldrick, and Sandoval were noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Mirkarimi, moved to approve the January 8, 2007 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

Continued to January 30, 2007.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved toCONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

061683 [Amending the Open Video System Franchise Granted to RCN Telecom Services, Inc.]
Mayor

Ordinance amending the Open Video System Franchise Granted to RCN Telecom Services, Inc. in Ordinance No. 210-04 as a condition of the transfer of the franchise to Astound Broadband, LLC by amending Sections 1, 34, 46, and 92.

FINALLY PASSED

061671 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

ONE-HOUR PARKING METER TIME LIMIT - RESCIND
TWO-HOUR PARKING METER TIME LIMIT - ESTABLISH
Haight Street, between Masonic Avenue and Stanyan Street (Note: Does not change time limits of green and yellow meters).

ONE-HOUR PARKING METER TIME LIMIT - RESCIND
TWO-HOUR PARKING METER TIME LIMIT - ESTABLISH
Masonic Avenue, Ashbury Street, Clayton Street, Belvedere Street, Cole Street and Shrader Street, approximately 100 feet north and south of Haight Street (Note: does not change time limits of green and yellow meters).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Potrero Avenue, west side, from 24th Street to 16 feet northerly; and,
Potrero Avenue, east side, from 24th Street to 16 feet southerly.

NO PARKING ANYTIME - ESTABLISH
Edgehill Way both sides, between 16 Edgehill Way and 40 Edgehill Way (for fire engine vehicle clearance).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Oak Street, south side, between the driveways of 1165-69 and 1171 Oak Street (9.5 foot space, accommodating 2 unmetered motorcycle spaces).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
McCoppin Street, south side, from Valencia Street to the western terminus of street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
7th Street, west side, from 93 to 112 feet north of Townsend Street (adds 5 more motorcycle spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Mission Street, north side, from Farragut Avenue to 40 feet easterly.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Whittier Street, east side, from Mission Street to 76 feet southerly. (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street;
DPT Order No. 3274.)

ADOPTED

061672 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Avalon Avenue at Moscow Street, stopping westbound Avalon Avenue, making this Y-intersection an All-Way STOP;
Sierra and Texas Streets, stopping Sierra Street, the stem of this T-intersection;
Persia Avenue at Prague Street, stopping Persia Avenue, making this intersection an All-Way STOP;
Devonshire Way and Oak Park Drive, stopping Devonshire Way, making this intersection an All-Way STOP; and,
Kenwood Way and Keystone Way, stopping all approaches to this T-Intersection, making this intersection an All-Way STOP. (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

ADOPTED

061673 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY LANE MUST TURN RIGHT - ESTABLISH
Broadway, south side, between Grant Avenue and Columbus Avenue. (Parking and Traffic Department)

(12/18/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

ADOPTED

061691 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $25 million of State Transit Assistance funding for construction and construction support of Muni's Third Street Initial Operating Segment and Metro East facility.

ADOPTED

061692 **[Accept-Expend Federal Grant - Department of Public Works]**
Supervisor Maxwell

Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of $342,000 from the California Department of Transportation to construct a new bus pad at Ingerson Avenue and Griffith Street.

ADOPTED

061697 [Accept-Expend State Grant - San Francisco Port Commission]
Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend $1,800,000 in Proposition 40, Clean Beaches Initiative grant funds from the State Water Resources Control Board to fund utility infrastructure improvements at the Pier 45 fish processing facility.

ADOPTED

061669 [Liquor License Transfer, 1302 Fulton Street]

Resolution determining that the reactivation and transfer of a Type 20 off-sale beer and wine license from 1306 Fulton Street to 1302 Fulton Street, to Khaled S. Dajani, for Café Abir, Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED

061618 [Liquor License, 560 Sacramento Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Kumi Walker and Sean Heywood, for MR. located at 560 Sacramento Street, Suite 100, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED

Recommendations of the Rules Committee

061211 [Post-Disaster Safety Assessment Placards]
Mayor

Ordinance amending the San Francisco Building Code by adding Section 102.21 to require official placards to be used to warn of unsafe building occupancies following disasters; and adopting findings.

FINALLY PASSED

061666 [Settlement of Lawsuit - Omari McGee]

Ordinance authorizing settlement of the lawsuit filed by Omari McGee against the City and County of San Francisco for $75,000.00; the lawsuit was filed on March 10, 2006 in United States District Court, Case No. C06-1621 CRB; entitled Omari McGee v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

061667 [Settlement of Lawsuit - John Curran]

Ordinance authorizing settlement of the lawsuit filed by John Curran against the City and County of San Francisco for $32,186; the lawsuit was filed on April 4, 2006 in San Francisco Superior Court, Case No. 450-899; entitled John Curran v. City and County of San Francisco, et al; other material terms of said settlement are that Curran will receive the equivalent of six (6) working days of sick leave with pay credits and eight (8) working days of vacation allowance credits. (City Attorney)

PASSED, ON FIRST READING

061704 **[Settlement of Contractual Dispute and Unlitigated Government Claim]**

Resolution authorizing settlement of an unlitigated claim filed by Schram Construction, Inc. against the City and County of San Francisco for $77,587.00; other material terms of said settlement are: (1) each party shall mutually release each other from all claims arising from the performance of PUC Contract CW 263R2 except for latent defect, warranty work, and punch list work as outlined in the settlement agreement; (2) Schram Construction, Inc. will withdraw the government claim #06-03356 it filed on or about June 22, 2006 against the City and County of San Francisco; and (3) Each party shall bears its own legal costs and fees. (City Attorney)

ADOPTED

070008 **[Appointment - Western SoMa Citizens' Planning Task Force]**

Resolution appointing Skot Kuiper, term ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Skot Kuiper, succeeding Judy Carman, resigned, seat 9, must represent the arts, for the unexpired portion of a three-year term ending November 23, 2007.

ADOPTED

070003 **[Appointment - SRO Task Force]**

Resolution appointing Luis Barahona and Maria Martinez to the SRO Task Force, terms ending December 31, 2009.

Luis Barahona, new appointment, seat 6, must be a representative of the Central City SRO Collaborative, for a three-year term ending December 31, 2009.
Maria Martinez, new appointment, seat 8, must be a representative of the Families SRO Collaborative, for a three-year term ending December 31, 2009.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

070033 **[Adopting findings related to affirming the categorical exemption issued for 3300 Clay Street]**

Motion adopting findings related to affirming the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act ("CEQA").

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Supervisor Jew Excused From Voting on File Nos. 061526 and 061527

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Jew at their request, because of possible conflict of interest, from voting on File No. 061526 and 061527. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew

061526 **[Setting a May 1 cutoff for the annual renewal of taxi driver permits]**

Supervisor Elsbernd

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 76.5, to set a May 1 cutoff for the annual renewal of taxi driver permits.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew

061527 **[Synchronizing the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle]**

Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by amending Section 1137, to synchronize the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew

070001 **[Appropriating $217,736,000 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2006-2007]**
Mayor

Ordinance appropriating $217,736,000 of San Francisco Water Revenue Bonds, 2006 Series A, to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2006-07.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070002 **[Public Employment]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 19 positions (4.75 FTE) at the Public Utilities Commission (PUC) and 4 Positions (1.6 FTE) at the City Attorney (CAT).

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

061599 **[Grant of Regional Funds]**
Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,670,340 in FY2005/06, $3,984,855 in FY2006/07, and $2,308,728 in FY2007/08 Assembly Bill 664 Bridge Toll Net Revenue Funds for various San Francisco Municipal Railway Capital Projects, excluding administrative overhead costs.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061600 **[Accept-Expend U.S. Department of Justice Grant]**
Supervisor Maxwell

Resolution authorizing the City Attorney's Office to accept and expend a grant in the amount of $394,891 from the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Foster Care Improvement Project.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061685 [Mortgage Revenue Bonds]
Mayor, Supervisor Dufty

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $55,000,000 for Mason Street Affordable Housing Development; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $275,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $55,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

061605 [Appropriating $1,277,584 of estimated direct payment revenue for the Sidewalk Inspection and Repair Program in the Department of Public Works for Fiscal Year 2006-2007]
Mayor

Ordinance appropriating $1,277,584 from estimated revenues to fund the Sidewalk Inspection and Repair Program for the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew

061606 [Sidewalk revitalization program]
Mayor

Ordinance amending Public Works Code Section 706 to deem unsafe sidewalk conditions a public nuisance and establish a permit and inspection fee waiver for participation in the City's sidewalk revitalization program and amending section 707.1 to clarify provisions that treat the abatement costs for sidewalk remediation as a special tax assessment.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew

Recommendations of the City Operations and Neighborhood Services Committee

061674 **[Restricting parking on Turk and Larkin Streets and Golden Gate Avenue adjacent to the Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal Protective Service of the Department of Homeland Security]**
Supervisor McGoldrick

Ordinance amending the Traffic Code to restrict parking or standing by vehicles on Turk and Larkin Streets and on Golden Gate Avenue adjacent to the Phillip Burton Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal Protective Service of the Department of Homeland Security. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

061675 **[Amending the Traffic Code to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency]**
Supervisor McGoldrick

Ordinance (1) amending the San Francisco Traffic Code by amending Sections 13 and 32.1.10 and (2) amending the San Francisco Public Works Code by amending Section 250.242 to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency ("MTA") to reflect the MTA's assumption of authority over functions previously under the jurisdiction of the Commission. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060640 **[Zoning Map Amendment, vacant lot, Alemany Blvd. between Ocean and Onondaga Avenues]**
Supervisors Sandoval, Peskin

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the use designation of Lot 11C in Assessor's Block 6954 from RH-1 (One-Family) to NC-3 (Moderate-Scale Neighborhood Commercial District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

RE-REFERRED to the Land Use and Economic Development Committee by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061480 [Zoning Map Amendment for 915 Cayuga Avenue]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco in order to shift a zoning district boundary which is located entirely within Assessor's Block 6954 Lot 033 and which divides an RH-1 (Residential, House, One Family) District from an NC-3 (Neighborhood Commercial, Moderate Scale) District approximately 20 feet in a northwesterly direction to increase the portion of the lot that is zoned NC-3; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b). (Planning Department)

RE-REFERRED to the Land Use and Economic Development Committee by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061068 [Time limits for Landmarks Board and Planning Commission review of proposed landmarks and historic districts]

Supervisors Maxwell, Peskin

Ordinance amending Planning Code Sections 1004.2 and 1004.3 to provide for specific time limits for Landmarks Board and Planning Commission review of proposed landmark and historic district designations; and making General Plan and Planning Code Section 101(b) findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061536 [Extending the Tourist Hotel Conversion Ordinance for an additional 6 months]

Supervisors Peskin, McGoldrick, Maxwell

Ordinance amending Administrative Code Section 41F.5 to extend the moratorium on conversion of tourist hotel rooms to condominiums for an additional 6 months and making environmental findings.

11/14/06 - Economic Impact

Supervisor Jew, seconded by Supervisor Sandoval, moved to refer File No. 061536 to committee.
Motion to refer this matter to committee failed by the following vote:
Ayes: 2 - Jew, Sandoval
Noes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

061515 **[Agreement with Caltrans for street construction at Fifth and King Streets intersection with State Route 280]**

Resolution approving the Cooperative Agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the new street construction for the King Street Westbound Frontage Road and ancillary improvements at Fifth and King Streets intersection with State Route 280 and authorizing official acts in furtherance thereof. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061109 **[Building Code - Northwest Mt. Sutro Slope Protection Area.]**

Supervisor Elsbernd

Ordinance amending the San Francisco Building Code by adding Section 106.4.1.3 to create a Northwest Mt. Sutro Slope Protection Area and require the Structural Advisory Committee to review and make recommendations on specified permit applications within that area, which is generally bounded on the east by Crestmont Drive and its undeveloped northern extension, on the south along Oak Park to its intersection with Christopher Boulevard, west to Warren Drive, north along Warren Drive to the 6th Avenue and Kirkham Street intersection, and Kirkham Street in an easterly direction to its end at the undeveloped extension of Crestmont Drive, and to require mandatory denial of the permit by the Director of Building Inspection under specified circumstances; amending Section 105.6.2 to specify the composition of the Structural Advisory Committee for permit applications located within the Northwest Mt. Sutro Slope Protection Area; amending Building Code Section 106.3.2 to require that the applicant for certain permit applications located within the Northwest Mt. Sutro Slope Protection Area provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701.5 to require special inspections throughout the construction process for sites located within the Northwest Mt. Sutro Slope Protection Area; and amending Section 106.4.1.2.4 to amend the mandatory denial of the permit by the Director of Building Inspection requirements in the Edgehill Mountain Slope Protection Area.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061623 **[Landmark Designation of 3750 18th Street (Mission High School)]**

Supervisors Peskin, Dufty

Ordinance Designating 3750 18th Street, Mission High School, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061663 [Public Works - Encroachment under Halleck Street between Battery and Front Streets]
Supervisor McGoldrick

Ordinance granting revocable permission pursuant to Public Works Code Section 786 to Steven M. David to occupy a portion of the public right-of-way to install an underground encroachment under Halleck Street between Battery and Front Streets to provide electrical service to 212 California Street (Assessor's Block 0237, Lot 007) conditioned upon the payment of an annual assessment fee as set forth in Public Works Code Section 2.1.1(h)(iii) for underground vaults and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061622 [Public Works Encroachments under Hooper and Carolina Streets]

Resolution granting revocable permission to California College of the Arts, to occupy a portion of the public right-of-way to install one sub-surface conduit under Hooper Street between 07th and 08th Streets; and, one sub-surface conduit under Carolina Street between Channel and 15th Streets to connect with fiber optic cables three college sites for the college computer network located at 1111 -08th Street (Block 3820, Lot 003) conditioned upon the payment of an annual assessment fee as set forth in Public Works Code Sec. 2.1.1 (h) (iii) and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061516 [Vacation of sewer and water line easements in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]

Resolution declaring the intention of the Board of Supervisors to vacate a 10-foot wide water line easement and 20-foot wide sewer easement in former Hubbell Street within the Mission Bay South Redevelopment Project Area; setting the hearing date for February 27, 2007 at 3:00 p.m.for all persons interested in the proposed vacation of the easements; and adopting findings that the vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting the Department of Public Works Order No. 176,502, dated October 24, 2006; and authorizing other official acts in connection with this Resolution. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use and Economic Development Committee Without Recommendation

061517 **[Vacation and immediate quitclaim of a sewer easement and vacation and delayed quitclaim of a water line easement in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]**

Supervisor McGoldrick

Ordinance ordering the vacation of a 10-foot wide water line easement and a 20-foot wide sewer easement in former Hubbell street, within the Mission Bay South Redevelopment Project Area; authorizing an immediate quitclaim of the sewer easement and a delayed quitclaim of the water line easement of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,502; and authorizing other official acts in connection with this ordinance. (Public Works Department)

Supervisor McGoldrick added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisors Mirkarimi and Dufty Excused From Voting

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved to excuse Supervisors Mirkarimi and Dufty. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

061563 **[Condominium conversion lottery based on seniority of participation]**

Supervisor McGoldrick

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; adding Section 1396.3 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and to continue this lottery selection process for two years; and making environmental findings.

01/23/07-Amendment of the whole bearing a new title.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

Ordinance amending the Subdivision Code by adding Section 1396.3 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and to continue this lottery selection process for two years; and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

Recommendations of the Rules Committee

060344 [Corrective amendment to Administrative Code Section 6.61]
Supervisor Peskin

Ordinance approving a corrective amendment to Administrative Code Chapter 6, Section 6.61, to conform to amendment approved April 1, 2005, under Ordinance 58-05, File No. 041571, relating to the award procedure for design-build contracts.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061647 [Graffiti Advisory Board - Membership]
Supervisors Peskin, Jew

Ordinance amending the San Francisco Administrative Code by amending Section 5.170 to reconstitute the membership of the Graffiti Advisory Board, to provide all members with the right to vote, and to correct the reference to Charter Section 4.101.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

061417 [Hearing -Tentative Parcel Map, 455 Buena Vista East]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista East, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

FILED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

(Only one of the following two motions should be approved.)

061487 [Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 30, 2007.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061488 **[Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]**

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 30, 2007.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061489 **[Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 30, 2007.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061379 **[Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]**

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

Continued to February 6, 2007.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Committee of the Whole Adjourn and Report Without Recommendation

061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]
Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

Continued to February 6, 2007.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M.

061414 [Public Hearing - Sidewalk Assessment Costs]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

Continued to January 30, 2007.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061415 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Continued to January 30, 2007.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M.

Called from the Government Audit and Oversight Committee

Board of Supervisors Sitting as a Committee of the Whole

070041 **[Hearing - Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees]**

Hearing to consider a proposed Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

FILED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Committee of the Whole Adjourn and Report Without Recommendation

061543 **[Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees]**

Supervisor Sandoval

Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

1/23/07 - Amendment of the whole bearing a new title.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070023 [Zoning - Extension of Planning Commission Review Period]
Supervisor Maxwell

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend San Francisco Planning Code Section 317 to prohibit demolition of a residential building unless the Planning Commission issues a conditional use authorization for the replacement structure.

ADOPTED

070025 [Urging the Names Project Foundation to return the AIDS quilt to San Francisco]
Supervisors Ammiano, Dufty, Elsbernd, Mirkarimi, Daly, Peskin, Alioto-Pier, McGoldrick, Maxwell

Resolution urging the Names Project Foundation to return the AIDS quilt to San Francisco as soon a possible.

Supervisors Alioto-Pier, McGoldrick, Maxwell, and Mirkarimi added as co-sponsors.
ADOPTED

070026 [Wishing Norman Yee a full and rapid recovery]
Supervisors Ammiano, Dufty, Jew, Peskin, Alioto-Pier

Resolution wishing Board of Education President Norman Yee a full and rapid recovery.

Supervisors Peskin and Alioto-Pier added as a co-sponsors.
ADOPTED

070027 [Support for San Francisco's Unified School District's efforts to purchase and implement a Point of Sale system to improve the Student Nutrition Services meal programs]
Supervisors Elsbernd, Alioto-Pier

Resolution supporting San Francisco's Unified School District's efforts to purchase and implement a Point of Sale system to improve the Student Nutrition Services meal programs.

Supervisor Alioto-Pier added as a co-sponsor.
ADOPTED

070028 [Commendation for Jeff S. Blanchfield]
Supervisor Peskin

Resolution commending Jeffrey S. Blanchfield for his significant contributions in protecting San Francisco Bay and encouraging the development of its shoreline.

ADOPTED

070029 **[Issuance and Sale of Revenue Bonds - St. Anthony Foundation]**
Supervisor Daly

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $12,000,000 to finance various capital facilities owned by St. Anthony Foundation or an affiliate.

ADOPTED

070030 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Jew

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant from the Transportation Security Administration to provide the San Francisco Municipal Transportation Agency with three bomb detection canines, all associated training, hotel and travel expenses, veterinary care and feed for the three teams (canine and handler), and $120,500 for expenditures required to implement the program.

ADOPTED

070046 **[Final Map - 410 Jessie Street]**
Motion approving Final Map 3970, a 56 Unit Mixed-Use Condominium Project, located at 410 Jessie Street being a subdivision of Lots 79-112 in Assessors Block No. 3704 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070047 **[Final Map - 2655 Van Ness Avenue]**
Motion approving Final Map 4076, a 32 Unit Mixed - Use Condominium Project, located at 2655 Van Ness Avenue being a subdivision of Lot 1 in Assessors Block No. 0522 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070048 **[Final Map - 3000 23rd Street]**
Motion approving Final Map 3398, a 54 Unit Residential Condominium Project, located at 3000 23rd Street being a subdivision of Lot 4 in Assessors Block No. 3639 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from For Adoption without Committee Reference

070024 [Resolution honoring the 50 years of dedicated service that Sergeant Wertz has provided to the San Francisco Police Department and the citizens of San Francisco]
Supervisors Dufty, Board of Supervisors

Resolution honoring the 50 years of dedicated service that Sergeant Wertz has provided to the San Francisco Police Department and the citizens of San Francisco.

All member of the Board of Supervisors added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Dufty, moved to approve the Purely. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Dufty, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070067 [Commending Sam Dodge]
Supervisor Daly

Resolution commending Sam Dodge for his tireless advocacy, inspiring leadership and persistent efforts to empower and improve the lives of low-income tenants in the Tenderloin and South-of-Market neighborhoods.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070005 **[Settlement of Lawsuit - Pacific Gas and Electric Company v. CCSF]**
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $6,700; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. CGC-05-440982; entitled Pacific Gas and Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation, contained in Board of Supervisors File No. 070005. (City Attorney)
1/2/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

070034 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Howard Street, north side, from 9th Street to 200 feet easterly

TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – ESTABLISH
9th Street, east side, from Howard Street to Tehama Street (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations, including installation and replacement of signs in connection therewith, where such changes do not establish a higher speed limit along a significant portion of the street and will not result in more than a negligible increase in use of the street; DPT Order No. 3275.)
1/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070035 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE RIGHT TURN LANES - RESCIND
RIGHT LANE MUST TURN RIGHT - ESTABLISH
Howard Street, westbound, at 9th Street

BICYCLE LANES - ESTABLISH
Howard Street, between 9th Street and 200 feet easterly (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(15) Rechannelization or change of traffic direction, where no more than a negligible increase in use of the street will result; DPT Order No. 3275.)
1/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070036 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "D" - ESTABLISH
Baden Street, west side, between Mangels to the northern terminus (400 block) (includes addresses, but no signs will be posted).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
8th Street, east side, from 52 feet to 78 feet south of Heron Street (26 foot zone, accommodating 6 unmetered motorcycle spaces); and,
15th Street, north side, from Market Street to 20.5 feet easterly (18-foot space, accommodating 5 unmetered motorcycle spaces).

TOW-AWAY, NO PARKING ANYTIME – ESTABLISH
Carolina Street south side, between Wisconsin Street and Caire Terrace (65-foot zone).

RESIDENTIAL PERMIT AREA "R" (2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Gough Street, west side, between Fulton and Grove Street (replaces 1-Hour signed time limit).

RESIDENTIAL PERMIT PARKING AREA "F," 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Spruce Street, east side, from California Street to 140 feet northerly; and,
California Street, south side, from Parker Avenue to 110 feet easterly.

NO PARKING, 7 AM TO 8 AM, MONDAY THROUGH FRIDAY - RESCIND
Maple Street,both sides, between California and Sacramento Streets.

PARKING METER AREA 3 (2 HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
California Street, north side, between Spruce and Cherry Streets;
California Street, south side, between Spruce Street and 110 feet east of Parker Avenue;
Gough Street, east side, between Grove and Fulton Streets;
Presidio Avenue, west side, from California Street to Pine Street;
Stanyan Street, east side, from Haight Street to 90 feet southerly; and,
19th Street, north side, from 80 feet to 110 feet west of Castro (to accommodate installing three motorcycle parking meters).

NO PARKING, MIDNIGHT TO 6:00 A.M., EVERYDAY - ESTABLISH
Alice B. Toklas Place, south side, from 24 feet east of Van Ness Avenue to 130 feet easterly (100 block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Stevenson Street, south side, from 5th Street to 100 feet westerly; and,
Marin Street, north side, from Kansas Street to 50 feet westerly.

TOUR BUS PARKING – RESCIND
Mint Street, east side, between Mission and Jessie Streets. (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3299.)
1/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070037 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
Front and Green Streets, stopping Front Street, making this intersection an All-Way STOP;
Beaver Street at Noe Street, stopping the stem of this T-intersection;
Sweeny at Merrill Street, making this intersection an All-Way STOP;
Northbound London Street at Avalon Avenue, stopping the stem of this T-intersection;
Northbound Paris Street at Avalon Avenue, stopping the stem of this T-intersection;
Flood Avenue at Circular Avenue, stopping the stem of this T-intersection;
Hearst Avenue at Circular Avenue, stopping the stem of this T-intersection; and,
Staples Avenue at Circular Avenue, stopping the stem of this T-intersection. (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3299.)
1/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070038 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT TRANSIT - ESTABLISH
Fulton Street, eastbound,at Stanyan Street.

NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY – RESCIND
NO LEFT TURN, 7 AM TO 7 PM, EVERYDAY – ESTABLISH
Fulton Street, eastbound, at Stanyan Street.

NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY – RESCIND
NO LEFT TURN, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – ESTABLISH
Fulton Street, westbound, at Stanyan Street.

ONE-WAY STREET - ESTABLISH
Sala Terrace, from Huron Street toward Ellington Street.

ONE-WAY STREET (NORTHBOUND) - RESCIND
ONE-WAY STREET (SOUTHBOUND) - ESTABLISH
Ritch Street, between Brannan and Townsend Streets (300 block) (Parking and Traffic Department)

(1/10/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3299.)
1/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

ADJOURNMENT

The meeting adjourned at 5:10 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES - DRAFT

VOTES

Tuesday, January 30, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Dufty, Peskin	Wednesday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Commissioners Chin, Commissioner Kelly, Commissioner Wynns	2nd Monday (Bi-monthly) 10:00 AM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Jew	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Ammiano, Alioto-Pier, Peskin	2nd and 4th Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Rules Committee Supervisors Mirkarimi, Elsbernd, Ammiano	Thursday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	1st and 3rd Monday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Alioto-Pier and Sandoval were noted absent.

There was a quorum.

Supervisors Alioto-Pier was noted present at 2:05 p.m.

Supervisor Sandoval Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved to approve the January 9, 2007 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

TABLED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

061675 [Amending the Traffic Code to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency]
Supervisor McGoldrick

Ordinance (1) amending the San Francisco Traffic Code by amending Sections 13 and 32.1.10 and (2) amending the San Francisco Public Works Code by amending Section 250.242 to replace obsolete references to the Public Utilities Commission with references to the Municipal Transportation Agency ("MTA") to reflect the MTA's assumption of authority over functions previously under the jurisdiction of the Commission. (Parking and Traffic Department)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

061068 [Time limits for Landmarks Board and Planning Commission review of proposed landmarks and historic districts]
Supervisors Maxwell, Peskin

Ordinance amending Planning Code Sections 1004.2 and 1004.3 to provide for specific time limits for Landmarks Board and Planning Commission review of proposed landmark and historic district designations; and making General Plan and Planning Code Section 101(b) findings.

FINALLY PASSED

061109 [Building Code - Northwest Mt. Sutro Slope Protection Area.]
Supervisor Elsbernd

Ordinance amending the San Francisco Building Code by adding Section 106.4.1.3 to create a Northwest Mt. Sutro Slope Protection Area and require the Structural Advisory Committee to review and make recommendations on specified permit applications within that area, which is generally bounded on the east by Crestmont Drive and its undeveloped northern extension, on the south along Oak Park to its intersection with Christopher Boulevard, west to Warren Drive, north along Warren Drive to the 6th Avenue and Kirkham Street intersection, and Kirkham Street in an easterly direction to its end at the undeveloped extension of Crestmont Drive, and to require mandatory denial of the permit by the Director of Building Inspection under specified circumstances; amending Section 105.6.2 to specify the composition of the Structural Advisory Committee for permit applications located within the Northwest Mt. Sutro Slope Protection Area; amending Building Code Section 106.3.2 to require that the applicant for certain permit applications located within the Northwest Mt. Sutro Slope Protection Area provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701.5 to require special inspections throughout the construction process for sites located within the Northwest Mt. Sutro Slope Protection Area; and amending Section 106.4.1.2.4 to amend the mandatory denial of the permit by the Director of Building Inspection requirements in the Edgehill Mountain Slope Protection Area.

FINALLY PASSED

061623 [Landmark Designation of 3750 18th Street (Mission High School)]
Supervisors Peskin, Dufty

Ordinance Designating 3750 18th Street, Mission High School, as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

FINALLY PASSED

061663 **[Public Works - Encroachment under Halleck Street between Battery and Front Streets]**
Supervisor McGoldrick

Ordinance granting revocable permission pursuant to Public Works Code Section 786 to Steven M. David to occupy a portion of the public right-of-way to install an underground encroachment under Halleck Street between Battery and Front Streets to provide electrical service to 212 California Street (Assessor's Block 0237, Lot 007) conditioned upon the payment of an annual assessment fee as set forth in Public Works Code Section 2.1.1(h)(iii) for underground vaults and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

FINALLY PASSED

Recommendations of the Rules Committee

061666 **[Settlement of Lawsuit - Omari McGee]**
Ordinance authorizing settlement of the lawsuit filed by Omari McGee against the City and County of San Francisco for $75,000.00; the lawsuit was filed on March 10, 2006 in United States District Court, Case No. C06-1621 CRB; entitled Omari McGee v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

061667 **[Settlement of Lawsuit - John Curran]**
Ordinance authorizing settlement of the lawsuit filed by John Curran against the City and County of San Francisco for $32,186; the lawsuit was filed on April 4, 2006 in San Francisco Superior Court, Case No. 450-899; entitled John Curran v. City and County of San Francisco, et al; other material terms of said settlement are that Curran will receive the equivalent of six (6) working days of sick leave with pay credits and eight (8) working days of vacation allowance credits. (City Attorney)

FINALLY PASSED

060344 **[Corrective amendment to Administrative Code Section 6.61]**
Supervisor Peskin

Ordinance approving a corrective amendment to Administrative Code Chapter 6, Section 6.61, to conform to amendment approved April 1, 2005, under Ordinance 58-05, File No. 041571, relating to the award procedure for design-build contracts.

FINALLY PASSED

061647 **[Graffiti Advisory Board - Membership]**
Supervisors Peskin, Jew

Ordinance amending the San Francisco Administrative Code by amending Section 5.170 to reconstitute the membership of the Graffiti Advisory Board, to provide all members with the right to vote, and to correct the reference to Charter Section 4.101.

FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be approved.)

061487 [Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]

Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

061488 [Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]

Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

061489 [Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

Recommendations of the Budget and Finance Committee

061526 [Setting a May 1 cutoff for the annual renewal of taxi driver permits]
Supervisor Elsbernd

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 76.5, to set a May 1 cutoff for the annual renewal of taxi driver permits.

Supervisor Jew previously excused from voting on File Nos. 061526 and 061527 on January 23, 2007.
FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Jew, Sandoval

061527 [Synchronizing the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle]
Supervisor Elsbernd

Ordinance amending the San Francisco Police Code by amending Section 1137, to synchronize the cycle for the Controller's biennial review of taxi fares and the gate cap with the City's budget cycle.

Supervisor Jew previously excused from voting on File Nos. 061526 and 061527 on January 23, 2007.
FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Jew, Sandoval

070001 [Appropriating $217,736,000 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2006-2007]
Mayor

Ordinance appropriating $217,736,000 of San Francisco Water Revenue Bonds, 2006 Series A, to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2006-07.

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

070002 [Public Employment]
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 19 positions (4.75 FTE) at the Public Utilities Commission (PUC) and 4 Positions (1.6 FTE) at the City Attorney (CAT).

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

From the Budget and Finance Committee Without Recommendation

061605 [Appropriating $1,277,584 of estimated direct payment revenue for the Sidewalk Inspection and Repair Program in the Department of Public Works for Fiscal Year 2006-2007]
Mayor

Ordinance appropriating $1,277,584 from estimated revenues to fund the Sidewalk Inspection and Repair Program for the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Jew
Excused: 1 - Sandoval

061606 [Sidewalk revitalization program]
Mayor

Ordinance amending Public Works Code Section 706 to deem unsafe sidewalk conditions a public nuisance and establish a permit and inspection fee waiver for participation in the City's sidewalk revitalization program and amending section 707.1 to clarify provisions that treat the abatement costs for sidewalk remediation as a special tax assessment.

FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Jew
Excused: 1 - Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

061674 [Restricting parking on Turk and Larkin Streets and Golden Gate Avenue adjacent to the Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal Protective Service of the Department of Homeland Security]
Supervisor McGoldrick

Ordinance amending the Traffic Code to restrict parking or standing by vehicles on Turk and Larkin Streets and on Golden Gate Avenue adjacent to the Phillip Burton Federal Building at 450 Golden Gate Avenue to law enforcement vehicles authorized by the Federal Protective Service of the Department of Homeland Security. (Parking and Traffic Department)

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Daly
Excused: 1 - Sandoval

Recommendation of the Land Use and Economic Development Committee

061536 [Extending the Tourist Hotel Conversion Ordinance for an additional 6 months]
Supervisors Peskin, McGoldrick, Maxwell, Mirkarimi

Ordinance amending Administrative Code Section 41F.5 to extend the moratorium on conversion of tourist hotel rooms to condominiums for an additional 6 months and making environmental findings.

11/14/06 - Economic Impact

Supervisor Mirkarimi added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

From the Land Use and Economic Development Committee Without Recommendation

061517 [Vacation and immediate quitclaim of a sewer easement and vacation and delayed quitclaim of a water line easement in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]
Supervisor McGoldrick

Ordinance ordering the vacation of a 10-foot wide water line easement and a 20-foot wide sewer easement in former Hubbell street, within the Mission Bay South Redevelopment Project Area; authorizing an immediate quitclaim of the sewer easement and a delayed quitclaim of the water line easement of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,502; and authorizing other official acts in connection with this ordinance. (Public Works Department)

Continued to February 27, 2007.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

061563 [Condominium conversion lottery based on seniority of participation]
Supervisor McGoldrick

Ordinance amending the Subdivision Code by adding Section 1396.3 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and to continue this lottery selection process for two years; and making environmental findings.

Supervisors Dufty and Mirkarimi previously excused from voting on this item on January 23, 2007.

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin
Excused: 3 - Dufty, Mirkarimi, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061540 [Designating a sole source design engineer for the Opera House chiller replacement project]
Supervisor Peskin

Ordinance authorizing the Director of Public Works to enter into a sole source agreement with SJ Engineers for professional design services relating to the Opera House chiller replacement project.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

061499 [Lease of Real Property at 1 Newhall Street]
Supervisor Ammiano

Resolution authorizing a new lease of 33,000 sq. ft. of industrial space at 1 Newhall Street for the Department of Public Health.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Elsbernd, Jew
Excused: 1 - Sandoval

061547 [Amendment to Contract with Geomatrix Consultants, Inc.]

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute an amendment to the contract with Geomatrix Consultants, Inc. to extend the term retroactively through June 30, 2007, to modify the scope of services, and to increase the contract by an amount not to exceed $180,000 for a new total amount not to exceed $1,097,000 for environmental consulting services.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

061608 [Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program]
Supervisor Elsbernd

Resolution authorizing the Director of Public Works to execute Amendment to a Design Agreement for the Laguna Honda Hospital Replacement Program from $33,706,892 to $39,155,175.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Jew
Excused: 1 - Sandoval

061705 [Public Auction]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

061112 [Recreation and Park - Farmers' Markets]
Supervisors Mirkarimi, Jew, Daly

Ordinance amending the San Francisco Park Code by adding Section 7.21, to authorize Farmers' Markets, as certified by the Agricultural Commissioner, to be located on property under the jurisdiction of the Recreation and Park Commission upon the making of certain findings by the Commission; amending San Francisco Administrative Code Section 9A.3 to authorize the Agricultural Commissioner to work with the Recreation and Park Department to identify suitable sites on property under the jurisdiction of the Recreation and Park Commission upon which to locate Farmers' Markets; and amending San Francisco Administrative Code Section 9A.15 to require Farmers' Market vendors to accept forms of payment provided by participants of federal, state or local food assistance programs, and adding Section 9A.20 to require the Agriculture Commissioner to conduct a needs assessment of neighborhoods that can support farmers' markets.

Supervisors Jew and Daly added as co-sponsors.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

061645 [Camp Mather-Private Public]
Supervisors McGoldrick, Mirkarimi, Peskin, Daly

Resolution opposing privatization of Camp Mather operations and any further franchising out of services or concessions at Camp Mather.

Supervisors Peskin and Daly added as co-sponsors.

ADOPTED by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Sandoval

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

061437 [Landmark Designation nomination for tree located at 619 19th Avenue]
Supervisor McGoldrick

Resolution of intent initiating the nomination of the Palm tree located at 619 19th Avenue (Assessor's Block 1625, Lot 005) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

NOT ADOPTED by the following vote:
Noes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

SPECIAL ORDER 3:00 P.M

070049 **[Public Hearing - 1170-80 Green Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated December 28, 2006, approving a proposed tentative parcel map for 6 unit condominum located at 1170-80 Green Street, Lot 012, Assesor's Block 0122. (Appellant: Russian Hill Community Association) Filed January 8, 2007; companion measure to Files 070050, 070051 and 070052; District 3.)

The President inquired as to whether or not any member of the public wished to address the Board.

Jamie Cherry, Appellant
Kathleen Courtney

Speakers on behalf of the appellant:
Ted Gulicksen; Randy Shaw; Hiroshi Fukuda; Linda Markson; John Bardis; Francisco da Costa; Male speaker.

Bruce Storrs, County Surveyor, Public Works

Brett Gladstone, representing the project sponsor

Speakers on behalf of the project sponsor:
Jeff Harlowitz; Mike Switzn; Richard Center; Matt Kelepskio; Gerald Serano; Carmen Astromin; Michael Stroll; Naomi Blouse; Taylor Glassmore; Patric Peskovich.

Rebuttal Period:
Jamie Cherry, Appellant
Kathleen Courtney

The President inquired as to whether or not any other member of the public wished to address the Board.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be approved.)

070050 **[Approving decision of the Director of Public Works and approving the Tentative Map- 1170-80 Green Street]**

Motion approving the decision of the Director of Public Works, approving the Tentative Map for a 6 unit new construction condominium located at 1170-80 Green Street, Lot 012, Assessor's Block 0122, and making environmental and General Plan findings.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Sandoval

070051 **[Disapproving appeal tentative map 1170-80 Green Street]**

Motion disapproving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for a new 6 unit construction condominium project located at 1170-80 Green Street, Lot 012, in Assessor's Block 0122, and making environmental and General Plan findings.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Sandoval

070052 **[Preparation of Findings - 1170-80 Green Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 6 unit condominium project located at 1170-80 Green Street, Lot 012, Assessor's Block 0122.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Sandoval

SPECIAL ORDER 3:30 P.M

061414 **[Public Hearing - Sidewalk Assessment Costs]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

President inquired as to whether or not any member of the public wished to address the Board members.

Harry Gulbengay, Department of Public Works

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

061415 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Diane Westly Smith; expressed concern over issues with Bayview Hunters Points and the integrated mixed use project in the area.
Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Ms. Goodmore; expressed concern with homeless issues and public housing
Shawna Donner; expressed concern over various issues
John Pernow; read a poem to the Board
David Cone; expressed concern with DEA raids and medical cannabis
Lucific Keper; expressed concern with various AIDs issues
Michael Elrich; expressed concern over DEA raids and medical cannabis
Rev. Wilson; expressed concern over medical cannabis
Peter Warfield; expressed concern with Sunday Library hours
Denise Dorrie; expressed concern over medical cannabis
Terry Bright, expressed concern over medical cannabis
Gilbert; expressed concern over medical cannabis
Female speaker: expressed concern over medical cannabis
Sister Stephanie, expressed concern over the redevelopment of Candlestick Point and Hunters Point Shipyard
Barbara; expressed concern over the redevelopment of Candlestick Point and Hunters Point Shipyard
Female speaker; expressed concern over redevelopment projects
Maria Alico; expressed concern over housing projects and shelter programs
Ms. Rodriguez; expressed concern over housing projects and shelter programs
Teresa Hawkins; expressed concern over housing projects and shelter programs
Richard Robinson; expressed concern over care not cash
Francisco Da Costa; expressed concern over housing projects and Alice Griffith
Espinola Jackson; expressed concern over 49er stadium planning and housing projects
Angelo King; read a letter and expressed concern over the redevelopment of Candlestick Point and Hunters Point Shipyard
Pastor Girisabel; expressed concern over the redevelopment of Candlestick Point and Hunters Point Shipyard
Linda Richardson; expressed concern over the redevelopment of Candlestick Point and Hunters Point Shipyard
Al Moore; expressed concern over the redevelopment of Candlestick Point and Hunters Point Shipyard
Ace Washington; expressed concern over access to the Press Room
Male speaker; expressed concern over medical cannabis and public housing

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070092 [Add Sunday hours at neighborhood branch libraries]
Supervisors Mirkarimi, Daly

Resolution urging the Library Commission to add Sunday hours at neighborhood branch libraries.

Supervisor Daly added as a co-sponsor.
ADOPTED

070094 [Urging the United States Congress to pass Comprehensive Immigration Reform]
Supervisor Elsbernd

Resolution urging the United States Congress to pass Comprehensive Immigration Reform.

ADOPTED

070095 [Urging the Department of Public Works to reconsider its decision to drastically increase the frequency of street cleaning patrols in District 9]
Supervisor Ammiano

Resolution urging the Department of Public Works to reconsider its decision to drastically increase the frequency of street cleaning patrols in District 9.

ADOPTED

070096 [Urging Closure of Potrero Power Plant]
Supervisors Maxwell, Mirkarimi

Resolution urging Mirant Corporation to commit to the City now that it will permanently close the Potrero Power Plant when the Reliability Must Run contract for the facility is removed, and urging Mirant to divest itself of ownership of the site, and reaffirming the City's commitment to closing the Potrero Power Plant as soon as feasible, and urging all interested State and Federal agencies to facilitate the closure of the Potrero Power Plant, so that the site may be developed in a manner more in harmony with surrounding neighborhoods and sound public and environmental health.

ADOPTED

070097 [Declaring July 14, 2007 as Pets Unlimited Day]
Supervisor Alioto-Pier

Resolution declaring Saturday, July 14, 2007 as Pets Unlimited Day.

ADOPTED

070098 [Grants to support the agriculture program in San Francisco]
Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to retroactively accept and expend two grants from the California Department of Food and Agriculture in the amounts of $63,888 and $42,076 (for a total of $105,964) in support of the Pierce's Disease Control Program and the High Risk (Pest Exclusion) Program for the period of July 1, 2006 to June 30, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Severed from Without Reference to Committee Agenda

070093 [Reinstatement of City issued Medical Cannabis Identification Cards]
Supervisor Mirkarimi

Resolution urging the Department of Public Health to abandon the State of California Medical Marijuana Identification Card (MMIC) program and to reinstate the local medical cannabis program that had been in existence prior to the State mandated program in 2006.

Supervisor Jew requested that this matter be severed so that it might be considered separately.

REFERRED to the City Operations and Neighborhood Services Committee.

070099 [Redevelopment of Candlestick Point and the Hunters Point Shipyard for an integrated mixed-use project, including possibly a new 49ers stadium.]
Supervisors Peskin, Maxwell, Dufty, Ammiano

Resolution endorsing the efforts of the City, the Redevelopment Agency and Lennar Corporation to generate a conceptual proposal for a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the-art stadium and associated parking for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and other public benefits for the Bayview Hunters Point community as soon as possible, and urging the Redevelopment Agency to work with the City to amend its exclusive negotiations agreement with Lennar/BVHP Partners for the Hunters Point Shipyard to provide for an integrated redevelopment project on Candlestick Point and the Shipyard.

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

REFERRED to the Land Use and Economic Development Committee.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

070066 **[Prevailing rate of wages for City contracts for hauling of solid waste generated by City operations]**

Resolution fixing prevailing wage rates for workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

1/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070100 **[State grant funds for mosquito control]**

Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $30,000 from the California Department of Health Services to mitigate the threat of West Nile virus transmission through mosquito control activities, for the period of July 1, 2006 to June 30, 2007. (Public Health Department)

1/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070102 **[Traffic regulations - vehicular closure of Jessie Street between Mint and 5th Streets]**

Resolution approving closing Jessie Street between 5th and Mint Streets to vehicular traffic and making environmental findings and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1. (Parking and Traffic Department)

1/22/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070103 **[Airport Concession Lease]**

Resolution approving Amendment No. 4 to the Travelex America Inc. Lease Agreement for Foreign Currency Exchange in the New International Terminal Building and Existing Terminal Buildings at San Francisco International Airport Lease No. 99-0449 between Travelex America Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

1/22/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting adjourned 5:16 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES - DRAFT

VOTES

Tuesday, February 6, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	2nd and 4th Monday 10:00 AM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

CONSENT AGENDA

Recommendations of the Rules Committee

061629 **[Appointment - In-Home Supportive Services Public Authority]**
Resolution appointing Mike Boyd, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.

Mike Boyd, succeeding Michael Smith, resigned, seat 5, must be a consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2009.

ADOPTED

070053 **[Appointment - Child Care Planning and Advisory Council]**
Resolution appointing Candace Wong, term ending December 31, 2008, to the Child Care Planning and Advisory Council.

Candace Wong, succeeding herself, term expired, seat 3, must be a nominee of District 3 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a three-year term ending December 31, 2008.

ADOPTED

070059 **[Appointment - Veterans Affairs Commission]**

Resolution appointing Robert Varni and John Caldera, terms ending January 21, 2011, to the Veterans Affairs Commission.

Robert Varni, succeeding Godofredo Gomez, deceased, seat 1, must be an at-large appointment, for a new four-year term ending January 31, 2011.
John Caldera, succeeding Charles Joseph Reed, deceased, seat 4, must be an at-large appointment, for a new four-year term ending January 31, 2011.

ADOPTED

070062 **[Appointment - Golden Gate Bridge, Highway and Transportation District]**

Resolution retaining Janet Reilly, Sabrina Hernandez, Richard Grosboll and Lynne Newhouse Segal, for terms subject to review and affirmation by January 31, 2009, on the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

Janet Reilly, succeeding herself, term expiring January 31, 2007, seat 1, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.
Sabrina Hernandez, succeeding herself, term expiring January 31, 2007, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.
Richard Grosboll, succeeding himself, term expiring January 31, 2007, seat 3, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.
Lynne Newhouse Segal, succeeding herself, term expiring January 31, 2007, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2009.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

070139 **[Findings Disapproval of Tentative Subdivision Map - 455 Buena Vista East]**

Motion adopting findings related to the Board's disapproval on January 30, 2007, of the decision of the Director of Public Works to approve a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in assessor's Block 2607. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

Recommendation of the Budget and Finance Committee

061540 **[Designating a sole source design engineer for the Opera House chiller replacement project]**
Supervisor Peskin

Ordinance authorizing the Director of Public Works to enter into a sole source agreement with SJ Engineers for professional design services relating to the Opera House chiller replacement project.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

061112 **[Recreation and Park - Farmers' Markets]**
Supervisors Mirkarimi, Jew, Daly

Ordinance amending the San Francisco Park Code by adding Section 7.21, to authorize Farmers' Markets, as certified by the Agricultural Commissioner, to be located on property under the jurisdiction of the Recreation and Park Commission upon the making of certain findings by the Commission; amending San Francisco Administrative Code Section 9A.3 to authorize the Agricultural Commissioner to work with the Recreation and Park Department to identify suitable sites on property under the jurisdiction of the Recreation and Park Commission upon which to locate Farmers' Markets; and amending San Francisco Administrative Code Section 9A.15 to require Farmers' Market vendors to accept forms of payment provided by participants of federal, state or local food assistance programs, and adding Section 9A.20 to require the Agriculture Commissioner to conduct a needs assessment of neighborhoods that can support farmers' markets.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061621 [Reduction to the San Francisco Public Library Cash Revolving Fund]
Supervisor Peskin

Ordinance amending San Francisco Administrative Code Section 10.155 to decrease the Cash Revolving Fund of the San Francisco Public Library from $5,000 to $3,500. (Public Library)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061097 [Real Property Exchange Agreement]

Resolution approving a real property exchange agreement between the City and County of San Francisco and the Petrocchi Family Trust and Bravo 5 Trust (the "Trust") pertaining to property located at Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission ("SFPUC") to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061601 [Bond Sale for Seismic Safety Loan Program Bonds]
Supervisor Dufty

Resolution authorizing and directing the sale of not to exceed $35,000,000 aggregate principal amount of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2006A; approving the form of a credit agreement pursuant to which such bonds will be issued and sold; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the establishment of accounts related thereto; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070075 [Multifamily Housing Revenue Bonds - Hotel Essex Apartments]
Supervisor Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $13,000,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a financing agreement; approving the form of and authorizing the execution of a bond purchase agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061548 **[Third Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a third amendment to the sublease with the John Stewart Company to extend the term.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

061549 **[Fourth Amendment to John Stewart Company Sublease of Housing Units on Treasure Island]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a fourth amendment to the sublease with the John Stewart Company to increase utility rates.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060537 **[Zoning - Ordinance creating the Lower Haight Street Alcohol Restricted Use District]**
Supervisors Mirkarimi, Dufty

Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District prohibiting off-sale liquor establishments and providing for a three year sunset provision; amending Zoning Map Number 7SU of the City and County of San Francisco to indicate the boundaries of the Lower Haight Street Alcohol Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061566 **[Limited equity accumulation for membership shares of ROOTS Program Assisted Housing Cooperatives]**
Supervisors Mirkarimi, Maxwell

Ordinance amending San Francisco Board of Supervisors Ordinance No. 71-06 appropriating $20,000,000 from the General Fund for Affordable Housing projects, including $1,000,000 to the Mayor's Office of Housing (MOH) for the Real Opportunities for Tenants (ROOTS) program, by amending the criteria for the ROOTS program to require that the Articles of Incorporation or the Bylaws of housing cooperatives assisted by ROOTS Program funds, and other applicable documents mandate that membership shares of members who cease to be permanent residents be sold at a price equaling no greater than a transfer value and clarify that resident housing organizations that are assisted by ROOTS must be structured in the form of a cooperative; and adopting regulations governing MOH's administration of the ROOTS program.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

061641 [Barring the Police Department from inspecting telephone bills for Press Room telephones at the Hall of Justice, and requiring the Department of Administrative Services to pay any such telephone bills]
Supervisors Sandoval, Mirkarimi, Ammiano, Peskin

Ordinance amending the San Francisco Administrative Code by adding Section 2A.87 prohibiting the Police Department from inspecting or making use of records of City telephones provided for the use of the news media at the Hall of Justice, and requiring the Department of Administrative Services to pay any costs associated with the provision of such telephones.

Supervisor Peskin added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisors Ammiano, Dufty, McGoldrick and Sandoval Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisors Ammiano, Dufty, McGoldrick, and Sandoval due to conflict of interest. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Excused: 4 - Ammiano, Dufty, McGoldrick, Sandoval

070063 [Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution affirming retention of Supervisors Bevan Dufty, Tom Ammiano, Gerardo Sandoval and Jake McGoldrick, as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, terms ending January 31, 2009.

Supervisor Ammiano excused from voting in Committee.

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Excused: 4 - Ammiano, Dufty, McGoldrick, Sandoval

SPECIAL ORDER 3:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

061379 [Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

Continued to September 11, 2007.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Committee of the Whole Adjourn and Report Without Recommendation

061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]
Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

Continued to September 11, 2007.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

070087 [Amending the Board's Rules to rename the Select Committee on Ending Gun and Gang Violence to the Public Safety Committee, and establishing it as a standing committee of the Board]
Supervisor Peskin

Motion amending Rule 5.8 of the Board of Supervisors' Rules of Order to rename the Select Committee on Ending Gun and Gang Violence to the Public Safety Committee, and establishing it as a standing committee of the Board.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070088 [Extending the Joint City and School District Select Committee for one year]
Supervisor Peskin

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070142 [Resolution of Local Support]
Supervisor Ammiano

Resolution of Local Support of the Valencia Streetscape Improvements Project.

ADOPTED

070143 [Resolution authorizing the use of the seal of the City and County of San Francisco for a music event.]
Supervisor Dufty

Resolution authorizing the use of the Official Seal of the City and County of San Francisco by Talking House Productions in the promotion of an event to be held on March 16, 2007 at the SXSW Music and Media Conference in Austin, Texas.

ADOPTED

070144 **[West Portal Branch Library reopening]**
Supervisor Elsbernd

Resolution recognizing the re-dedication of the West Portal Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

ADOPTED

070145 **[Congratulating Gateway High School on being selected as an exemplary charter school.]**
Supervisor Mirkarimi

Resolution congratulating Gateway High School on being selected as an exemplary charter school.

ADOPTED

070146 **[Congressional Hearing on the Value of Safe and Legal Access to Medical Cannabis]**
Supervisor Daly

Resolution condemning the Drug Enforcement Administration's actions to block safe access to medical cannabis patients and urging the Speaker of the House Nancy Pelosi to open a congressional hearing on the value of safe access to medical cannabis and respect for local jurisdiction's policy and regulation of medical cannabis dispensaries.

ADOPTED

070147 **[Accept-Expend Grant - Mayor's Office of Criminal Justice (MOCJ)]**
Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $25,000 from the Open Society Institute of the Soros Foundation for the purpose of exploring potential alternatives to the California Youth Authority/Division of Juvenile Justice for San Francisco youth.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from For Adoption without Committee Reference

070148 [City and School District Special Meeting]
Supervisor Dufty

Motion calling a special meeting of the City and School District Committee of the Board of Supervisors to be held on Monday, February 12, 2007 at 10:00 A.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Supervisor Dufty requested that this item be severed from Adoption Without Committee Reference.

02/06/07-Amended to replace "Monday, February 12, 2007 at 10:00 A.M." with "Thursday, February 15, 2007 at 3:30 P.M..

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Motion calling a special meeting of the City and School District Committee of the Board of Supervisors to be held on Thursday, February 15, 2007 at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070109 [Settlement of Lawsuit - Harvey John Merk]

Ordinance authorizing settlement of the lawsuit filed by Harvey John Merk against the City and County of San Francisco for $135,000; the lawsuit was filed on August 5, 2005 in San Francisco Superior Court, Case No. 443-654; entitled Harvey John Merk, et al., v. City and County of San Francisco, et al. (City Attorney)

1/26/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

070140 [Designation of MuniServices, LLC ("Contractor") as City's Authorized Representative in Sales and Use Tax Records Examination]

Resolution Designating MuniServices, LLC ("Contractor") as the City and County of San Francisco's Authorized Representative in Sales and Use Tax Records Examination. (Controller)

1/29/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070141 **[Extension Of One Year Tolling Agreement]**

Resolution approving one year extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco"). (City Attorney)

1/29/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting adjourned at 3:23 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
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San Francisco, CA 94102-4689

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MEETING MINUTES - DRAFT

VOTES

Tuesday, February 13, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Wednesday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisors Alioto-Pier was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Maxwell, moved to approve the January 23, 2007 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061621 [Reduction to the San Francisco Public Library Cash Revolving Fund]
Supervisor Peskin

Ordinance amending San Francisco Administrative Code Section 10.155 to decrease the Cash Revolving Fund of the San Francisco Public Library from $5,000 to $3,500. (Public Library)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

060537 [Zoning - Ordinance creating the Lower Haight Street Alcohol Restricted Use District]
Supervisors Mirkarimi, Dufty

Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District prohibiting off-sale liquor establishments and providing for a three year sunset provision; amending Zoning Map Number 7SU of the City and County of San Francisco to indicate the boundaries of the Lower Haight Street Alcohol Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

FINALLY PASSED

061566 [Limited equity accumulation for membership shares of ROOTS Program Assisted Housing Cooperatives]
Supervisors Mirkarimi, Maxwell

Ordinance amending San Francisco Board of Supervisors Ordinance No. 71-06 appropriating $20,000,000 from the General Fund for Affordable Housing projects, including $1,000,000 to the Mayor's Office of Housing (MOH) for the Real Opportunities for Tenants (ROOTS) program, by amending the criteria for the ROOTS program to require that the Articles of Incorporation or the Bylaws of housing cooperatives assisted by ROOTS Program funds, and other applicable documents mandate that membership shares of members who cease to be permanent residents be sold at a price equaling no greater than a transfer value and clarify that resident housing organizations that are assisted by ROOTS must be structured in the form of a cooperative; and adopting regulations governing MOH's administration of the ROOTS program.

FINALLY PASSED

Recommendations of the Rules Committee

061641 [Barring the Police Department from inspecting telephone bills for Press Room telephones at the Hall of Justice, and requiring the Department of Administrative Services to pay any such telephone bills]
Supervisors Sandoval, Mirkarimi, Ammiano, Peskin

Ordinance amending the San Francisco Administrative Code by adding Section 2A.87 prohibiting the Police Department from inspecting or making use of records of City telephones provided for the use of the news media at the Hall of Justice, and requiring the Department of Administrative Services to pay any costs associated with the provision of such telephones.

FINALLY PASSED

070005 [Settlement of Lawsuit - Pacific Gas and Electric Company v. CCSF]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $6,700; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. CGC-05-440982; entitled Pacific Gas and Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation, contained in Board of Supervisors File No. 070005. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

070195 **[Findings Regarding Tentative Subdivision Map - 1170-80 Green]**

Motion adopting findings related to the Board's disapproval on January 30, 2007, of the decision of the Director of Public Works, which approved a proposed tentative parcel map for 6 unit condominium located at 1170-80 Green Street, Lot 012, Assessor's Block 0122. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

NEW BUSINESS

Recommendations of the Budget and Finance Committee

060897 **[Bond TEFRA Approval Policy]**
Supervisors Maxwell, Peskin

Ordinance amending the San Francisco Administrative Code by adding Chapter 43.9, Sections 43.9.1 through 43.9.6, to adopt findings and a City policy requiring housing project sponsors to comply with certain City contracting programs and other conditions in connection with the issuance of revenue bonds by joint exercise of powers authorities to finance private affordable housing projects within the City; and adopting a City policy regarding the review and approval of the issuance of revenue bonds by joint exercise of powers authorities to finance projects within the City other than private affordable housing projects.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

061665 [Approval of a 20 year agreement for sewage treatment and disposal services for the San Bruno Jail]

Resolution approving the Agreement between the City and County of San Francisco (Sheriff), The Westborough County Water District (Westborough) and The North San Mateo County Sanitation District (District) for sewage treatment and disposal services for the San Bruno Jail, resulting in a contract term of 20 years, pursuant to San Francisco Charter Section 9.118(b). (Sheriff)

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070022 [Municipal Broadband]

Supervisors McGoldrick, Mirkarimi, Ammiano, Daly

Resolution urging the City and County of San Francisco to weigh the costs and benefits of a Google/Earthlink provided wireless Internet, versus an autonomous Wireless connection created and maintained by the City and County of San Francisco itself.

(Supervisor Dufty dissented in Committee.)

Supervisor Daly added as a co-sponsor.

Continued to March 20, 2007.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
Noes: 5 - Dufty, Elsbernd, Jew, Maxwell, Peskin

Recommendations of the Land Use and Economic Development Committee

061514 [Zoning Map Amendment for 18 Arago Street]

Ordinance amending Sheet 11 of the Zoning Map of the City and County of San Francisco for property located at 18 Arago Street, Assessor's Block 3154 Lot 063, to change the use district classification from P (Public Use) to RH-1 (Residential House, One-Family); adopting findings pursuant to the California Environmental Quality Act and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061546 [Summary Vacation of Sewer, Water and Utility Easements Within Assessor's Block 2864, Lot 001 and Sale to Owner of Assessor's Block 2864, Lot 001 Upon Conditions]

Ordinance ordering the summary vacation of six recorded sewer, water and utility easements located within Assessor's Block 2864, Lot 001, on land commonly known as 300 Laguna Honda Boulevard, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Section 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale by quitclaim are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the City's interest in the vacated easements to the fee owners of Assessor's Block 2864, Lot 001, upon satisfaction of conditions set forth in companion Ordinance No.8-07 on file with the Clerk of the Board of Supervisors in File No. 061545; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070099 [Redevelopment of Candlestick Point and the Hunters Point Shipyard for an integrated mixed-use project, including possibly a new 49ers stadium.]

Supervisors Peskin, Maxwell, Dufty, Ammiano, Alioto-Pier

Resolution endorsing the efforts of the City, the Redevelopment Agency and Lennar Corporation to generate a conceptual proposal for a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the-art stadium and associated parking for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and other public benefits for the Bayview Hunters Point community as soon as possible, and urging the Redevelopment Agency to work with the City to amend its exclusive negotiations agreement with Lennar/BVHP Partners for the Hunters Point Shipyard to provide for an integrated redevelopment project on Candlestick Point and the Shipyard.

02/13/07 - Amendment of the whole bearing the same title.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew
Absent: 1 - McGoldrick

Supervisor Alioto-Pier added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew
Absent: 1 - McGoldrick

061654 [Monster Cable Products, Inc]

Supervisors McGoldrick, Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval

Resolution urging Monster Cable Inc. to provide a fair severance package to the over 120 laid-off workers at the Brisbane facility and to support these workers and the local community in dealing with the long-term detrimental impacts of Monster Cable Product's outsourcing of production jobs.

Supervisor Alioto-Pier removed as a co-sponsor.

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

Recommendation of the Rules Committee

061439 [Raising the amount of the City Attorney's settlement authority regarding claims made by minors from $1,500 to $5,000]

Supervisor Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 10.22-1 to raise the amount of the City Attorney's settlement authority regarding claims made by minors from $1,500 to $5,000.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

070105 [Public Hearing - Appeal of Tentative Final Map for 3189 21st Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated January 16, 2007, approving a proposed Tentative/Final Map for a new 5 unit mixed-Use condominium project located at 3189 21st Street, Lot 071 in Assessor's Block No. 3615. (Appellant: Dorothy Chao)

(Filed January 23, 2007; Companion measure to Files 070105, 070106, 070107, 070108; District 9.)

The President inquired as to whether or not any member of the public wished to address the Board.

Dorothy Chao, Appellant

Bruce Storrs, County Surveyor, Public Works

Marge Mason, representing the project sponsor

Rebuttal Period:
Dorothy Chao, Appellant

The President inquired as to whether or not any other member of the public wished to address the Board.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be approved.)

070106 [Approving decision of the Director of Public Works and approving the Tentative Final Map for 3189 21st Street]

Motion approving the decision of the Director of Public Works, approving the Tentative Final Map for a new 5 unit mixed-use condominium project located at 3189 21st Street, Lot 071 in Assessor's Block 3615, and making environmental and General Plan findings.

Supervisor Ammiano, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070107 **[Disapproving decision of the Director of Public Works and disapproving the Tentative Final Map for 3189 21st Street]**

Motion disapproving the decision of the Director of Public Works and disapproving the Tentative Final Map for a new 5 unit mixed-use condominium project located at 3189 21st Street, Lot 071 in Assessor's Block 3615.

Supervisor Ammiano, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070108 **[Findings - 3189 21st Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a new 5 unit mixed-use condominium project located at 3189 21st Street, Lot 071 in Assessor's Block 3615.

Supervisor Ammiano, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Sandoval presented an In Memoriam for Margaret Cruz.

Supervisor Mirkarimi welcomed, honored and presented Certificates of Honor KPOO Radio

Supervisor Mirkarimi welcomed, introduced and presented Certificates of Honor to Sharen Hewitt

Supervisor Mirkarimi welcomed, introduced and presented Certificates of Honor to Dr. Raye Richardson

Supervisor Maxwell welcomed, introduced and presented Certificates of Honor to Denetris Smith, Barbara Glaspie, Michael Bennett, Lesette Gray, Dinae Gray, Renee Strong, Jacqueline Cohen and Laura Barber

SPECIAL ORDER 4:00 P.M.

070054 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 350 Masonic Avenue/2130 Golden Gate Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 14, 2006 (Case No. 2005.0156E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15332], Class 32. The proposal to remove an existing eight-car off-street surface parking lot and demolish a 1,550-gross-square-foot (gsf) single-family residence at 2130 Golden Gate Avenue and construct an approximately 15,200-gsf structure and a 2,500-gsf underground garage. The project site is within an RH-3 (Residential, House, Three-Family) zoning district, and a 40-X height and bulk district located at 350 Masonic/2130 Golden Gate Avenues, Lots 29 and 11 in Assessor's Block 1149. (Appellant: F. Joseph Butler)

(Filed January 5, 2007; Companion measure to Files 070054, 070055, 070056, 070057; District 5.)

The President inquired as to whether or not any member of the public wished to address the Board.

Continued to March 20, 2007.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070055 [Affirming the categorical exemption issued for 350 Masonic/2130 Golden Gate Avenues]

Motion affirming the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to March 20, 2007.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070056 [Disapproving the categorical exemption issued for 350 Masonic/2130 Golden Gate Avenues]

Motion disapproving the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to March 20, 2007.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070057 [Preparation of findings related to the 350 Masonic/2130 Golden Gate Avenues project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 350 Masonic/2130 Golden Gate Avenues is exempt from environmental review under the California Environmental Quality Act.

Continued to March 20, 2007.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

070120 [Transition Period for Implementation of Paid Sick Leave Ordinance]
Supervisors Elsbernd, Peskin, Jew, Alioto-Pier

Ordinance adding Section 12W.17 to the Administrative Code to establish 120-day Transition Period (from February 5 through June 5, 2007) to implement Paid Sick Leave Ordinance, by providing that (1) an employer may delay payment of required paid sick leave until June 6, 2007, and (2) administrative penalties, compensatory costs to the City, liquidated damages, and attorneys' fees may not be awarded for a failure to pay required sick leave during the Transition Period.

Supervisor Alioto-Pier added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Maria Martinez; expressed interest in the Margaret Cruz fan club
James Chaffee; expressed concern with issues relating to the SF Public Library
Jenny; expressed concern with issue related to OCAC and the SF Public Library
Female speaker; expressed concern with the disaster council, emergency services, and the competence of the Mayor
John Pernow; expressed concern with issues related to youth and read a poem to the Board
Michael Pertralis; expressed concern with issues related to AIDS funding
Espinola Jackson; expressed concern with issues related to discrimination
Francisco da Costa; expressed concern over poverty and the performance of the Board of Supervisors

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070186 **[Grant of Private Foundation Funds - Municipal Transportation Agency]**
Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $10,371 of Bland Family Foundation grant funds for restoration of Muni's Historic Photo Archive, excluding administrative overhead costs.

ADOPTED

070187 **[Commending the Transport Workers Union Local 250-A for their support of the Sweatfree Ordinance]**
Supervisor Ammiano

Resolution commending the Transport Workers Union Local 250-A for their support of the Sweatfree Ordinance and solidarity with workers worldwide.

ADOPTED

070188 **[Urging Congress to Amend the Comprehensive Smoking Education Act of 1984]**
Supervisors Daly, Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi

Resolution urging U.S. Congressional Representatives to amend the Comprehensive Smoking Education Act of 1984 (Public Law 98-474) and require picture-based warning labels

ADOPTED

070189 **[Honorary street name designation of Osaka Way]**
Supervisor Mirkarimi

Resolution commemorating the 50th anniversary of the San Francisco-Osaka Sister City Association, and designating Osaka Way as an honorary street name to be located on Buchanan Street between Sutter and Post Streets.

ADOPTED

070190 **[Extending the Library Citizens Advisory Committee]**
Supervisor Daly

Resolution extending the operation of the Library Citizens Advisory Committee to March 1, 2009.

070191 **[Final Map - 77 Bluxome Street]**
Motion approving Final Map 3864, a 102 Unit Residential Condominium Project, located at 77 Bluxome Street being a subdivision of Lot 19 in Assessors Block No. 3786 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070194 **[Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]**

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1. (Planning Department)

2/1/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/2/2007. (SUPPORTING DOCUMENTS - Executive Summary and Planning Commission Resolution 17363).

PROPOSED RESOLUTIONS

070192 **[Accept-Expend Equipment - Chief of Police]**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone analysis software valued at approximately $60,000 made available through the Technology Transfer Program, Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP/CTAC). (Police Department)

1/31/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070193 **[Accept-Expend Federal and State Grants for Voting Equipment]**

Resolution authorizing the Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 in an amount not to exceed $5.43 million for voting equipment to be used for the November 2007 election and elections thereafter. (Elections Department)

2/1/07, RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

The meeting adjourned at 4:36 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES - DRAFT

Tuesday, February 27, 2007 2:00 PM

VOTES

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisors Alioto-Pier and Maxwell were noted absent.

There was a quorum.

Supervisors Alioto-Pier and Maxwell were noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Mirkarimi, moved to approve the January 30, 2007 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

TABLED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

070016 **[Juvenile Probation and Camps Funding Program Agreement-Juvenile Probation Department]**
Supervisor Dufty

Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation and Camps Funding Program used to pay for direct services to children.

ADOPTED

070017 [Grant of Regional Funds - Municipal Transportation Agency]
Supervisor Daly

Resolution authorizing the Municipal Transportation Agency to accept and expend $49,000 of Regional Measure 2 funds for Safe Routes to Transit project.

ADOPTED

070018 [Accept-Expend Federal and State Grants - Municipal Transportation Agency]
Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend a Caltrans Safe Routes to School grant in the amount of $423,000 for implementation of the Buena Vista Safe Routes to School Project.

ADOPTED

070019 [Accept-Expend Grant - Visitacion Valley CRN]
Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $444,253 from the Department of Justice, for a program entitled "San Francisco's Visitacion Valley Community Response Network" for the period July 1, 2006 to December 31, 2007.

ADOPTED

Recommendations of the Land Use and Economic Development Committee

061514 [Zoning Map Amendment for 18 Arago Street]

Ordinance amending Sheet 11 of the Zoning Map of the City and County of San Francisco for property located at 18 Arago Street, Assessor's Block 3154 Lot 063, to change the use district classification from P (Public Use) to RH-1 (Residential House, One-Family); adopting findings pursuant to the California Environmental Quality Act and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

FINALLY PASSED

061546 [Summary Vacation of Sewer, Water and Utility Easements Within Assessor's Block 2864, Lot 001 and Sale to Owner of Assessor's Block 2864, Lot 001 Upon Conditions]

Ordinance ordering the summary vacation of six recorded sewer, water and utility easements located within Assessor's Block 2864, Lot 001, on land commonly known as 300 Laguna Honda Boulevard, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Section 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale by quitclaim are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the City's interest in the vacated easements to the fee owners of Assessor's Block 2864, Lot 001, upon satisfaction of conditions set forth in companion Ordinance No.8-07 on file with the Clerk of the Board of Supervisors in File No. 061545; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)

FINALLY PASSED

Recommendation of the Public Safety Committee

070184 [Appropriating $24,840 of General Fund Reserve to Purchase and Install Two Safety Cameras in the Department of Telecommunications and Information Services for Fiscal Year 2006-2007]
Supervisors Mirkarimi, Dufty

Ordinance appropriating $24,840 of General Fund Reserve to purchase and install two community safety cameras at Haight and Webster Streets in the Department of Telecommunications and Information Services for Fiscal Year 2006-2007.

PASSED ON FIRST READING

Recommendations of the Rules Committee

061439 [Raising the amount of the City Attorney's settlement authority regarding claims made by minors from $1,500 to $5,000]
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code, by amending Section 10.22-1 to raise the amount of the City Attorney's settlement authority regarding claims made by minors from $1,500 to $5,000.

FINALLY PASSED

070005 [Settlement of Lawsuit - Pacific Gas and Electric Company v. CCSF]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $6,700; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. CGC-05-440982; entitled Pacific Gas and Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation, contained in Board of Supervisors File No. 070005. (City Attorney)

FINALLY PASSED

070120 [Transition Period for Implementation of Paid Sick Leave Ordinance]
Supervisors Elsbernd, Peskin, Jew, Alioto-Pier

Ordinance adding Section 12W.17 to the Administrative Code to establish 120-day Transition Period (from February 5 through June 5, 2007) to implement Paid Sick Leave Ordinance, by providing that (1) an employer may delay payment of required paid sick leave until June 6, 2007, and (2) administrative penalties, compensatory costs to the City, liquidated damages, and attorneys' fees may not be awarded for a failure to pay required sick leave during the Transition Period.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

060897 [Bond TEFRA Approval Policy]
Supervisors Maxwell, Peskin, Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Chapter 43.9, Sections 43.9.1 through 43.9.6, to adopt findings and a City policy requiring housing project sponsors to comply with certain City contracting programs and other conditions in connection with the issuance of revenue bonds by joint exercise of powers authorities to finance private affordable housing projects within the City; and adopting a City policy regarding the review and approval of the issuance of revenue bonds by joint exercise of powers authorities to finance projects within the City other than private affordable housing projects.

Supervisor Mirkarimi added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061533 [Sale of Vacant City Property on Alemany Boulevard near Ocean Avenue]
Supervisors Sandoval, Peskin, Daly, Mirkarimi, Dufty

Ordinance ordering the sale of City-owned property located on Alemany Boulevard, between Ocean Avenue and Onondaga Avenue, commonly known as Assessor's Block Number 6954, Lot 11C; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings that Administrative Code Chapter 23A does not apply to such sale; and authorizing other actions in furtherance of this ordinance.

Supervisors Dufty and Mirkarimi added as co-sponsors.

Continued to March 6, 2007.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070123 [Appropriating $641,973 of General Fund Reserve to backfill reduced federal funding for A.I.D.S. Services for the Department of Public Health for Fiscal Year 2006-2007]
Supervisors Daly, Ammiano, Dufty, Mirkarimi

Ordinance appropriating $641,973 of General Fund Reserve to backfill the reduction of earmarked A.I.D.S. services funding from the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services, in the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal impact.)

Supervisor Mirkarimi added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070127 [Appropriating $100,000 of General Fund Reserve to develop a Comprehensive A.I.D.S. Planning Process in the Department of Public Health for Fiscal Year 2006-2007]
Supervisors Dufty, Ammiano, Daly, Mirkarimi

Ordinance appropriating $100,000 of General Fund Reserve to develop a Comprehensive A.I.D.S. Planning Process for the City and County of San Francisco in the Department of Public Health for Fiscal Year 2006-2007.

Supervisor Mirkarimi added as a co-sponsor.

Supervisor Elsbernd, seconded by Supervisor Jew, moved to refer File No. 070127 to committee.
Motion to refer this matter to committee failed by the following vote:
Ayes: 4 - Elsbernd, Jew, McGoldrick, Sandoval
Noes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

070135 [Recreation and Park-Deadline for Hamilton Playground design]
Supervisor Mirkarimi

Ordinance amending Ordinance 79-06 which appropriated General Fund money for certain Recreation and Park capital projects and set a deadline of February 28, 2007, for the completion of the design phase of the Hamilton Playground, Recreation Center and Pool, to extend the deadline for the design phase of the Hamilton Playground, Recreation Center and Pool to May 15, 2007.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070177 **[Appropriating $1,344,490 for Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in Recreation and Park and Public Works for Fiscal Year 2006-2007]**
Supervisors Daly, Sandoval, Dufty, Ammiano, Mirkarimi

Ordinance appropriating $1,344,490 from the General Fund Reserve to support $1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and $300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

Supervisor Mirkarimi added as a co-sponsor.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance appropriating $1,074,490 of Capital & One-Time Spending Rainy Day Reserve and $270,000 of Recreation and Park Savings Incentive Reserve to support $1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and $300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

Continued to March 6, 2007 to be heard as a committee of the whole.

CONTINUED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061664 **[Airport Lease and Operating Agreement]**

Resolution approving the exercise of the first of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070066 **[Prevailing rate of wages for City contracts for hauling of solid waste generated by City operations]**
Supervisor Daly

Resolution fixing prevailing wage rates for workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061534 **[Appropriating $850,000 of Property Sale Proceeds for Homeless and Low-Income Housing to the Mayor's Office of Housing for Fiscal Year 2006-2007]**
Supervisors Sandoval, Peskin, Daly, Dufty, Mirkarimi

Ordinance appropriating $850,000 from the Sale of Surplus Property for Homeless and Low-Income Housing in the Mayor's Office of Housing for Fiscal Year 2006-2007.

(Fiscal Impact.)

Supervisors Dufty and Mirkarimi added as co-sponsors.

Continued to March 6, 2007.

CONTINUED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070117 **[Administrative Code Revision: Health Service System]**
Supervisor Elsbernd

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

070118 **[Establishing Monthly Contribution Amount]**
Supervisor Elsbernd

Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Fiscal impact.)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Peskin

070185 **[Public Employment - City Planning Commission (CPC)]**
Supervisor Peskin

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the amendment of the Administrative Provisions to add Section 2.5 and classification and salary for the Board/Commission Members for the City Planning Commission (CPC).

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070214 [Multifamily Housing Revenue Bonds - Arnett Watson Apartments]
Supervisor Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $19,500,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a financing agreement; approving the form of and authorizing the execution of a bond purchase agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

070020 [Public Works Code - Garbage Receptacles]
Supervisor McGoldrick

Ordinance amending Public Works Code Section 170 to delete the waiver provisions concerning placement of garbage receptacles on the public right-of-way; and making environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070100 [State grant funds for mosquito control]
Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $30,000 from the California Department of Health Services to mitigate the threat of West Nile virus transmission through mosquito control activities, for the period of July 1, 2006 to June 30, 2007. (Public Health Department)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

070014 [Unrepresented Employees]
Mayor

Ordinance Amending the 2006-07 Ordinance Fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

2/26/07 - Amended on page 29, line 12 to replace "falls" with "fails".

Supervisor Maxwell, seconded by Supervisor Jew, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee Without Recommendation

070015 **[MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 8CC)]**
Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) implementing wage and compensation provisions, to be effective July 1, 2007 through June 30, 2009.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

051844 [Planning Code-General Advertising Signs Enforcement Provisions]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 610 regarding the enforcement provisions for general advertising sign violations, by, among other things, deeming violations of this section a public nuisance, defining "Responsible Party", amending the penalty accrual, amount and collection provisions, requiring building permits for compliance work, providing for reconsideration hearings before an administrative law judge, and establishing a hearing fee; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

The motion to Pass File No. 051844 On First Reading passed by the following votes:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to rescind the vote on File No. 051844.
Motion to rescind the vote on this matter to committee passed by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

Supervisor Maxwell, seconded by Supervisor Ammiano, moved to amend File No. 051844.
Motion to amend File No. 051844 passed by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

2/26/07 - Amended on page 8, line 13 after the word "shall" add ",in a timely manner,".

The motion to Pass File No. 051844 On First Reading as amended passed by the following votes:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved to rescind the vote on File No. 051844.
Motion to rescind the vote on File No. 051844 passed by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

2/26/07 - Further amended on page 6, line 8 to replace the word "commending" with commencing".

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

061539 [Planning Code Enforcement Penalties, Fees, and Costs]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 176 to provide for penalties for violation of the Planning Code of not less than $200 per day, to specify that the City Attorney may seek attorneys' fees and costs for all enforcement actions, and to provide that all such fees and costs collected shall be deposited in the Planning Code Enforcement Fund; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

070121 [Confirming the appointment of Cameron Beach to the Municipal Transportation Agency Board of Directors, term ending March 1, 2011]
Mayor

Resolution confirming the appointment of Cameron Beach to the Board of Directors of the Municipal Transportation Agency for a four-year term ending March 1, 2011.

ADOPTED by the following vote:
Ayes: 6 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Peskin, Sandoval
Noes: 5 - Daly, Jew, Maxwell, McGoldrick, Mirkarimi

Called from the City Operations and Neighborhood Services Committee

061565 [Reducing the cost of adult MUNI Fast Passes for 18-24 year olds]
Supervisor McGoldrick

Resolution urging the Municipal Transportation Agency (MTA) to reduce the cost of monthly adult MUNI fast passes for transitional aged young adults ages 18 to 24 years old.

Continued to March 6, 2007.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Daly, Elsbernd, Jew

SPECIAL ORDER 3:00 P.M.

061518 [Hearing - Vacation and immediate quitclaim of a sewer easement and vacation and delayed quitclaim of a water line easement in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]

Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of a 10-foot wide water line easement and a 20-foot wide sewer easement in former Hubbell street, within the Mission Bay South Redevelopment Project Area; authorizing an immediate quitclaim of the sewer easement and a delayed quitclaim of the water line easement of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,502 ; and authorizing other official acts in connection with this ordinance.

The President inquired as to whether or not any member of the public wished to address the Board.

No public speakers.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

From the Land Use and Economic Development Committee Without Recommendation

061517 [Vacation and immediate quitclaim of a sewer easement and vacation and delayed quitclaim of a water line easement in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11]
Supervisor McGoldrick

Ordinance ordering the vacation of a 10-foot wide water line easement and a 20-foot wide sewer easement in former Hubbell street, within the Mission Bay South Redevelopment Project Area; authorizing an immediate quitclaim of the sewer easement and a delayed quitclaim of the water line easement of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,502; and authorizing other official acts in connection with this ordinance. (Public Works Department)

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

SPECIAL ORDER 3:30 P.M

070215 [Hearing - Ground Lease of Redevelopment Agency Land for Arnett Watson Apartments located at 650 Eddy Street]

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 0740, Lot 045 (former Lots 11 and 12), San Francisco, California (the "Site"), to 650 EDDY, L.P., a California limited partnership, for 70 years (with an option for an additional 29 years) for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

No public speakers.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

070216 [Ground Lease of Redevelopment Agency Land for Arnett Watson Apartments located at 650 Eddy Street]
Supervisor Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 0740, Lot 045 (former Lots 11 and 12), San Francisco, California (the "Site"), to 650 EDDY, L.P., a California limited partnership, for 70 years (with an option for an additional 29 years) for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

SPECIAL ORDER 4:00 P.M.

070151 [Public Hearing - Appeal of Final Environmental Impact Report for SF Marina Renovation Project at 3950 Scott Street]

Hearing of persons interested in or objecting to the Planning Commission's January 11, 2007, certification of a Final Environmental Impact Report identified as Planning File No. 2002.1192E, through its Motion No. 17357, for a proposed San Francisco Marina Renovation Project, located at 3950 Scott Street at Marina Boulevard, Assessor's Block 0900, Lot 003. (Appellant: Howard Strassner, on behalf of the Sierra Club San Francisco Group.)

(Filed January 31, 2007; companion measure to Files 070151, 070152, 070153, 070154, District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.

Howard Strassner representing the Sierra Club, Appellant

Speakers on behalf of the appellant: John Rizzo; male speaker; Leory; Michael Alexander; Andy Thornley; Dan Clarke; Ron Mulcare; Nathaniel Berkowitz; Regina Caline; Eric Colin; male speaker; Luis Stillman; Betty Foote; Joan Girardot; male speaker; Allen Silverman; Gloria Santiano.

Elaine Warren, Deputy City Attorney

Paul Maltzer, Planning
Sara Jones, Planning

Yomi Agunbiade, General Manager, Recreation and Parks Dept., project sponsor

Speakers on behalf of the project sponsor: male speaker; Dick Robinson; Jack House; Brak Vin.

Rebuttal Period:
Howard Strassner representing the Sierra Club, Appellant

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070152 **[Affirming certification of San Francisco Marina Renovation FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project. (Clerk of the Board)

Continued to March 13, 2007.

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

070153 **[Disapproving certification of San Francisco Marina Renovation FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project Project.

Continued to March 13, 2007.

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

070154 **[Preparation of findings to disapprove certification of San Francisco Marina Renovation FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project FEIR. (Clerk of the Board)

Continued to March 13, 2007.

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
Dr. Noh; expressed concern with global warming
James Chaffee; expressed concern with issues relating to the SF Public Library
Eugene Gordon Jr.; expressed concern with free speech and discrimination
Mark Drober; expressed concern with the Mayor's actions
John Pernow; expressed concern with issues related to communism and various religions
Rodney; expressed concern with issues related to MUNI
Mr. Rock; expressed concern with issues related to property in the Bayview Hunters Point, contractors, and the Redevelopment Agency
Abdul Krebier; expressed concern with issues related to the SF Housing Authority
John Holden; expressed concern with issues related to waste management companies

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070219 **[Accept-Expend Grant - Juvenile Probation Department]**
Supervisor Dufty

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $29,140 from the Corrections Standards Authority for enhanced disproportionate minority contact technical assistance within the Juvenile Probation Department.

ADOPTED

070221 **[Resolution condemning the Immigration and Customs Enforcement (ICE) Raids, opposing proposed guest worker programs and supporting legalization programs for immigrants]**
Supervisors Daly, Sandoval, Ammiano

Resolution condemning Immigration and Customs Enforcement (I.C.E.) raids, opposing guest worker programs, and supporting legalization programs for immigrants living in the United States.

ADOPTED

070222 [Urging the United States Senate to restore federal funding to Public Housing programs.]
Supervisors Sandoval, Dufty

Resolution urging the United States Senate to restore federal funding to Public Housing Programs.

ADOPTED

070235 [Final Map - 368 Elm Street]

Motion approving Final Map 4074, a 29 Unit Mixed-Use Condominium Project, located at 368 Elm Street being a subdivision of Lot 31 in Assessors Block No. 0761 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

Severed from For adoption Without Committee Reference

070218 [Approval of Emergency Work - Midtown Park Apartments]
Supervisor Mirkarimi

Resolution authorizing the Director of the Mayor's Office of Housing ("MOH") to take all necessary measures to protect the health and safety of the residents of Midtown Park Apartments by performing emergency repairs to the heat and hot water systems, exterior staircases, and fire doors and by removing hazardous materials.

Supervisor Mirkarimi requested that this item be severed from Adoption Without Committee Reference.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

070220 [Urging The Planning Commission to initiate and recommend an amendment to the Housing Element of the General Plan]
Supervisor McGoldrick

Resolution urging the Planning Commission to initiate and recommend amendments to the Housing Element of the General Plan to provide that the Residential Inclusionary Affordable Housing Program should apply to housing developments of all sizes.

Supervisor Elsbernd requested that this matter be referred to committee.

REFERRED to the Land Use and Economic Development Committee.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070039 **[Planning Code-Amending Article 11 Designation of 583-587 Howard Street]**

Ordinance amending the designation of 583-587 Howard Street from "Unrated—Category V" to "Contributory—Category III" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

2/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/12/2007.

(SUPPORTING DOCUMENTS: Planning Commission Resolution 17367; Planning Department Case Report; and Landmark Preservation Advisory Board Resolution 606).

070045 **[Planning Code-Amending Article 11 Designation of 625-631 Pine Street and 635-659 Pine Street]**

Ordinance amending the designation of 625-631 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

2/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/12/2007.

(SUPPORTING DOCUMENTS: Planning Commission Resolution 17366; Planning Department Case Report; Landmark Preservation Advisory Board Resolution 607)

070223 **[Changing the official sidewalk width - Folsom Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1573 to change the official sidewalk width on the northerly side of Folsom Street easterly of 8th Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

2/16/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070224 **[Changing the official sidewalk width - Stockton Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1571 to change the official sidewalk widths on the westerly side of Stockton Street between Geary and Ellis Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

2/16/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

ADJOURNMENT

The meeting adjourned at 6:33 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

DOCUMENTS DEPT.

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Tuesday, March 6, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisors McGoldrick and Sandoval were noted absent.

There was a quorum.

Supervisors McGoldrick and Sandoval were noted present at 2:07 p.m.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070135 [Recreation and Park-Deadline for Hamilton Playground design]
Supervisor Mirkarimi

Ordinance amending Ordinance 79-06 which appropriated General Fund money for certain Recreation and Park capital projects and set a deadline of February 28, 2007, for the completion of the design phase of the Hamilton Playground, Recreation Center and Pool, to extend the deadline for the design phase of the Hamilton Playground, Recreation Center and Pool to May 15, 2007.

FINALLY PASSED

070185 [Public Employment - City Planning Commission (CPC)]
Supervisor Peskin

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the amendment of the Administrative Provisions to add Section 2.5 and classification and salary for the Board/Commission Members for the City Planning Commission (CPC).

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

070020 [Public Works Code - Garbage Receptacles]
Supervisor McGoldrick

Ordinance amending Public Works Code Section 170 to delete the waiver provisions concerning placement of garbage receptacles on the public right-of-way; and making environmental findings.

FINALLY PASSED

061580 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING AND TRANSIT LANE ONLY, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Harrison Street, north side, from the Embarcardero to First Street

RESIDENTIAL PERMIT PARKING AREA "Y" (2 HOUR PARKING TIME LIMIT, 9 AM TO 10 PM, EVERYDAY) - ESTABLISH
Harrison Street, south side, between Fremont and Spear Streets (currently unregulated);
Spear Street, west side, from Harrison Street to 140 feet southerly (currently unregulated);
Main Street, both sides, between Harrison and Bryant Streets (currently unregulated);
Beale Street, both sides, between Bryant and Harrison Streets (replaces existing signed time limits); and,
Beale Street, west side, between Harrison and Folsom Streets (replaces existing signed time limits).

PARKING METER AREA 1 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Harrison Street, north side, between Beale and Spear Streets (currently unregulated);
Spear Street, east side, from Harrison Street to 140 feet southerly (currently unregulated);
Harrison Street, south side, between The Embarcadero and Spear Streets (replaces signed time limit);
Beale Street, east side, between Folsom and Harrison Streets (currently unregulated)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

ADOPTED

070034 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Howard Street, north side, from 9th Street to 200 feet easterly

TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – ESTABLISH
9th Street, east side, from Howard Street to Tehama Street (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations, including installation and replacement of signs in connection therewith, where such changes do not establish a higher speed limit along a significant portion of the street and will not result in more than a negligible increase in use of the street; DPT Order No. 3275.)

ADOPTED

070035 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE RIGHT TURN LANES - RESCIND
RIGHT LANE MUST TURN RIGHT - ESTABLISH
Howard Street, westbound, at 9th Street

BICYCLE LANES - ESTABLISH
Howard Street, between 9th Street and 200 feet easterly (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(15) Rechannelization or change of traffic direction, where no more than a negligible increase in use of the street will result; DPT Order No. 3275.)

ADOPTED

070036 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "D" - ESTABLISH
Baden Street, west side, between Mangels to the northern terminus (400 block) (includes addresses, but no signs will be posted).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
8th Street, east side, from 52 feet to 78 feet south of Heron Street (26 foot zone, accommodating 6 unmetered motorcycle spaces); and,
15th Street, north side, from Market Street to 20.5 feet easterly (18-foot space, accommodating 5 unmetered motorcycle spaces).

TOW-AWAY, NO PARKING ANYTIME – ESTABLISH
Carolina Street south side, between Wisconsin Street and Caire Terrace (65-foot zone).

RESIDENTIAL PERMIT AREA "R" (2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Gough Street, west side, between Fulton and Grove Street (replaces 1-Hour signed time limit).

NO PARKING, 7 AM TO 8 AM, MONDAY THROUGH FRIDAY - RESCIND
Maple Street,both sides, between California and Sacramento Streets.

PARKING METER AREA 3 (2 HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
California Street, north side, between Spruce and Cherry Streets;
California Street, south side, between Spruce Street and 110 feet east of Parker Avenue;
Gough Street, east side, between Grove and Fulton Streets;
Presidio Avenue, west side, from California Street to Pine Street;
Stanyan Street, east side, from Haight Street to 90 feet southerly; and,
19th Street, north side, from 80 feet to 110 feet west of Castro (to accommodate installing three motorcycle parking meters).

NO PARKING, MIDNIGHT TO 6:00 A.M., EVERYDAY - ESTABLISH
Alice B. Toklas Place, south side, from 24 feet east of Van Ness Avenue to 130 feet easterly (100 block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Stevenson Street, south side, from 5th Street to 100 feet westerly; and,
Marin Street, north side, from Kansas Street to 50 feet westerly.

TOUR BUS PARKING – RESCIND
Mint Street, east side, between Mission and Jessie Streets. (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3299.)

ADOPTED

070037 **[STOP Intersections]**
Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
Front and Green Streets, stopping Front Street, making this intersection an All-Way STOP;
Beaver Street at Noe Street, stopping the stem of this T-intersection;
Sweeny at Merrill Street, making this intersection an All-Way STOP;
Northbound London Street at Avalon Avenue, stopping the stem of this T-intersection;
Northbound Paris Street at Avalon Avenue, stopping the stem of this T-intersection;
Flood Avenue at Circular Avenue, stopping the stem of this T-intersection;
Hearst Avenue at Circular Avenue, stopping the stem of this T-intersection; and,
Staples Avenue at Circular Avenue, stopping the stem of this T-intersection. (Parking and Traffic Department)

(1/11/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3299.)

Supervisor Elsbernd added as a co-sponsor.
ADOPTED

070038 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT TRANSIT - ESTABLISH
Fulton Street, eastbound,at Stanyan Street.

NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY – RESCIND
NO LEFT TURN, 7 AM TO 7 PM, EVERYDAY – ESTABLISH
Fulton Street, eastbound, at Stanyan Street.

NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY – RESCIND
NO LEFT TURN, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY – ESTABLISH
Fulton Street, westbound, at Stanyan Street.

ONE-WAY STREET - ESTABLISH
Sala Terrace, from Huron Street toward Ellington Street.

ONE-WAY STREET (NORTHBOUND) - RESCIND
ONE-WAY STREET (SOUTHBOUND) - ESTABLISH
Ritch Street, between Brannan and Townsend Streets (300 block) (Parking and Traffic Department)

(1/10/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3299.)

ADOPTED

070060 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 9 AM - 4 PM, EVERYDAY) - ESTABLISH
Harrison Street, north side, between east property line of Beale Street and west property line of 388 Beale Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
PARKING METER AREA NO. 1 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Harrison Street, north side, between the west property line of 388 Beale Street and Fremont Street (currently unregulated). (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

ADOPTED

070061 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Ulloa Street, both sides, between 21st and 22nd Avenues (2000 block). (Parking and Traffic Department)

(11/30/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3274.)

ADOPTED

070086 [Temporary "Street Closure to Vehicular Traffic" on O'Farrell St. between Steiner and Fillmore]
Supervisor Mirkarimi

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 28, 2007 and November 17, 2007.

ADOPTED

070091 **[STOP Intersections]**
Supervisor Sandoval

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
San Jose Avenue and Santa Ynez Avenue, stopping San Jose Avenue, making this intersection an all-way STOP.

(1/29/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

ADOPTED

070129 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $785,223 of federal Section 5309 Bus and Bus Facilities funding for design and construction of improvements to the Glen Park Intermodal Facility/Adjacent Areas.

ADOPTED

070131 **[Accept-Expend State Grant - Mayor's Office of Criminal Justice (MOCJ)]**
Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $1,913,199 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA) – for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2006 to June 30, 2007.

ADOPTED

070182 **[Accept-Expend Federal Grant - Department of the Environment]**
Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $113,700 from the United States Department of Agriculture through GIRLS 2000 to operate a certified farmers' market in Bayview Hunters Point and provide nutrition education to community residents.

ADOPTED

070183 **[Grant to increase outreach, enrollment, retention and utilization efforts for Medi-Cal and Healthy Families]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Children, Youth and their Families (DCYF), to retroactively accept and expend a grant in the amount of $180,498 from the California Department of Health Services (DHS) to support the Outreach, Enrollment, Retention and Utilization (OERU) project and to enter into an agreement for the use of these funds; for the period of December 13, 2006 through June 30, 2007.

ADOPTED

070192 [Accept-Expend Equipment - Chief of Police]

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend telephone analysis software valued at approximately $60,000 made available through the Technology Transfer Program, Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP/CTAC). (Police Department)

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Consent Agenda

061694 [Traffic Regulation]
Supervisor Mirkarimi

Resolution rescinding traffic regulation on Oak Street.

TOW-AWAY NO STOPPING 7 - 9 AM - RESCIND
North side of Oak Street, from Buchanan to Divisadero Street

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH
Oak Street, Eastbound at Divisadero Street

TOW-AWAY NO STOPPINIG 7 - 9 AM - ESTABLISH
North side of Oak Street, from Laguna Street to Octavia Street

Supervisor Mirkarimi requested that this item be severed from the consent agenda.

3/6/07 - The following was divided into File # 070336 , "TOW-AWAY NO STOPPING 7-9 AM - ESTABLISH North side of Oak Street, from Laguna Street to Octavia Street"

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Resolution be DIVIDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution rescinding traffic regulation on Oak Street.

TOW-AWAY NO STOPPING 7 - 9 AM - RESCIND
North side of Oak Street, from Buchanan to Divisadero Street

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH
Oak Street, Eastbound at Divisadero Street

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070336 **[Traffic Regulation]**

Resolution rescinding traffic regulation on Oak Street.

TOW-AWAY NO STOPPINIG 7 - 9 AM - ESTABLISH
North side of Oak Street, from Laguna Street to Octavia Street

Divided from File No. 061694 and referred to committee.

REFERRED to the City Operations and Neighborhood Services Committee by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070184 **[Appropriating $24,840 of General Fund Reserve to Purchase and Install Two Safety Cameras in the Department of Telecommunications and Information Services for Fiscal Year 2006-2007]**
Supervisors Mirkarimi, Dufty

Ordinance appropriating $24,840 of General Fund Reserve to purchase and install two community safety cameras at Haight and Webster Streets in the Department of Telecommunications and Information Services for Fiscal Year 2006-2007.

Supervisor McGoldrick requested that this item be severed from the consent agenda.

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

061533 **[Sale of Vacant City Property on Alemany Boulevard near Ocean Avenue]**
Supervisors Sandoval, Peskin, Daly, Mirkarimi, Dufty

Ordinance ordering the sale of City-owned property located on Alemany Boulevard, between Ocean Avenue and Onondaga Avenue, commonly known as Assessor's Block Number 6954, Lot 11C; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings that Administrative Code Chapter 23A does not apply to such sale; and authorizing other actions in furtherance of this ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061534 [Appropriating $850,000 of Property Sale Proceeds for Homeless and Low-Income Housing to the Mayor's Office of Housing for Fiscal Year 2006-2007]
Supervisors Sandoval, Peskin, Daly, Dufty, Mirkarimi

Ordinance appropriating $850,000 from the Sale of Surplus Property for Homeless and Low-Income Housing in the Mayor's Office of Housing for Fiscal Year 2006-2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070117 [Administrative Code Revision: Health Service System]
Supervisor Elsbernd

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070123 [Appropriating $641,973 of General Fund Reserve to backfill reduced federal funding for A.I.D.S. Services for the Department of Public Health for Fiscal Year 2006-2007]
Supervisors Daly, Ammiano, Dufty, Mirkarimi

Ordinance appropriating $641,973 of General Fund Reserve to backfill the reduction of earmarked A.I.D.S. services funding from the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services, in the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070127 [Appropriating $100,000 of General Fund Reserve to develop a Comprehensive A.I.D.S. Planning Process in the Department of Public Health for Fiscal Year 2006-2007]
Supervisors Dufty, Ammiano, Daly, Mirkarimi

Ordinance appropriating $100,000 of General Fund Reserve to develop a Comprehensive A.I.D.S. Planning Process for the City and County of San Francisco in the Department of Public Health for Fiscal Year 2006-2007.

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

Recommendation of the Government Audit and Oversight Committee

070014 [Unrepresented Employees]
Mayor

Ordinance Amending the 2006-07 Ordinance Fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee Without Recommendation

070015 [MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 8CC)]
Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) implementing wage and compensation provisions, to be effective July 1, 2007 through June 30, 2009.

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

051844 [Planning Code-General Advertising Signs Enforcement Provisions]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 610 regarding the enforcement provisions for general advertising sign violations, by, among other things, deeming violations of this section a public nuisance, defining "Responsible Party", amending the penalty accrual, amount and collection provisions, requiring building permits for compliance work, providing for reconsideration hearings before an administrative law judge, and establishing a hearing fee; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061539 [Planning Code Enforcement Penalties, Fees, and Costs]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Section 176 to provide for penalties for violation of the Planning Code of not less than $200 per day, to specify that the City Attorney may seek attorneys' fees and costs for all enforcement actions, and to provide that all such fees and costs collected shall be deposited in the Planning Code Enforcement Fund; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Called from the City Operations and Neighborhood Services Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning File No. 061565.

The President resumed the Chair shortly thereafter.

061565 [Reducing the cost of adult MUNI Fast Passes for 18-24 year olds]
Supervisor McGoldrick

Resolution urging the Municipal Transportation Agency (MTA) to reduce the cost of monthly adult MUNI fast passes for transitional aged young adults ages 18 to 24 years old.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution urging the Municipal Transportation Agency (MTA) to reduce the cost of monthly adult MUNI fast passes to $30 for transitional aged young adults ages 18 to 21 years old.

Supervisor Jew, seconded by Supervisor Elsbernd, moved to refer this matter to committee.
Motion to refer failed by the following vote:
Ayes: 3 - Elsbernd, Jew, Alioto-Pier
Noes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to adopt this matter as amended.
Motion to adopt as amened failed by the following vote:
Ayes: 5 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi
Noes: 6 - Dufty, Elsbernd, Jew, Peskin, Sandoval, Alioto-Pier

(Supervisor Sandoval sitting as President Pro Tempore)

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to rescind the vote on this matter.
Motion to rescind the vote passed by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:
Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Jew, Sandoval

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

061646 [Recreation and Park-Prohibition of alcoholic beverages in South Park]
Supervisor Daly

Ordinance amending the San Francisco Park Code Sec. 4.10 to prohibit the consumption of alcoholic beverages in South Park.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070083 [Public Works Construction - Use of Recycled Content Materials]
Supervisor McGoldrick

Ordinance amending Chapter 6 of the Administrative Code by amending Section 6.4 to require recycled content materials to be used in public works and improvements to the maximum extent feasible.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

070176 [Accept-Expend Foundation Grant - Department of the Environment]
Mayor

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input and build support for a tidal energy project.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

070090 [Police Charity Audits]
Supervisor Peskin

Ordinance amending the San Francisco Police Code Section 660.4-1 requiring the Controller to audit financial statements of charitable organizations submitted pursuant to Section 660.3(e) of the Police Code.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070136 [Appropriation of Assessments Levied for Three Business Improvement Districts Established During Fiscal Year 2006-2007]
Supervisor Peskin

Ordinance amending the Fiscal Year 2006-2007 Annual Appropriation Ordinance by adding Section 30.7, to appropriate revenues collected from special assessments for disbursement to the respective nonprofit owners' associations for administration of the three property and/or business-based business improvement districts established in San Francisco during Fiscal Year 2006-2007 (i.e., the Fillmore Jazz, Central Market, and Fisherman's Wharf Portside Community Benefit Districts), for authorized purposes.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning File No. 070217.

The President resumed the Chair shortly thereafter.

070217 **[Zoning - Interim moratorium on installation of microcell equipment]**

Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Continued to April 17, 2007.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070081 **[Interim Zoning requiring conditional use for demolition of a residential structure]**

Supervisor Maxwell

Resolution imposing interim zoning controls to require conditional use authorization for demolition of a residential structure for a six (6) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Supervisor Sandoval dissenting in committee)

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Jew, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

070253 [Hearing - Appropriating $1,074,490 for Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in Recreation and Park and Public Works for Fiscal Year 2006-2007]
Supervisor Daly

Hearing to consider the ordinance appropriating $1,074,490 of Capital and One-Time Spending Rainy Day Reserve and $270,000 of Recreation and Park Savings Incentive Reserve to support $1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and $300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

The President inquired as to whether or not any member of the public wished to address the Board.

No public speakers
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Recommendation of the Budget and Finance Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning File Nos. 060640, 070177, and 070126.

The President resumed the Chair shortly thereafter.

070177 [Appropriating $1,344,490 for Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in Recreation and Park and Public Works for Fiscal Year 2006-2007]
Supervisors Daly, Sandoval, Dufty, Ammiano, Mirkarimi

Ordinance appropriating $1,074,490 of Capital & One-Time Spending Rainy Day Reserve and $270,000 of Recreation and Park Savings Incentive Reserve to support $1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and $300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi welcomed, introduced and presented a Certificate of Honor to Gail Baugh.

Supervisor McGoldrick welcomed, introduced and presented a Certificate of Honor to Susan Hall.

Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Donna Ewald Huggins.

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Sharon Johnson.

Supervisor Peskin welcomed, introduced and presented a Certificate of Honor to Denise McCarthy.

Supervisor Elsbernd welcomed, introduced and presented a Certificate of Honor to Peggy Mylett.

Supervisor Jew welcomed, introduced and presented a Certificate of Honor to Sonia Ng.

Supervisor Ammiano welcomed, introduced and presented a Certificate of Honor to Betty Pazmio.

Mayor Newsom will be introducing and presenting a Certificate of Honor to Sunny Schwartz.

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to Guadalupe Siordia.

Supervisor Dufty welcomed, introduced and presented a Certificate of Honor to Laura Spanjian.

Supervisor Daly welcomed, introduced and presented Certificates of Honor to La Voz Latina, Marta Perez, Isaura Casillas, Judith Martinez, Mayra Alvarenga, Maria Gomez, Maria Aviles, Angelina Ayala, Alma Valencia, Sonia Cervantes, Yolanda Interion, and Agustina Diaz.

COMMITTEE REPORTS

070181 [City and School District Select Committee Meetings]

Supervisor Dufty

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held on first and third Thursdays of each month at 3:30 P.M. in the Chambers of the Board of Supervisors; and directing the Clerk of the Board to prepare the proper notices and postings.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

060640 [Zoning Map Amendment, vacant lot, Alemany Blvd. between Ocean and Onondaga Avenues]
Supervisors Sandoval, Peskin

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the use designation of Lot 11C in Assessor's Block 6954 from RH-1 (One-Family) to NC-3 (Moderate-Scale Neighborhood Commercial District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061480 [Zoning Map Amendment for 915 Cayuga Avenue]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco in order to shift a zoning district boundary which is located entirely within Assessor's Block 6954 Lot 033 and which divides an RH-1 (Residential, House, One Family) District from an NC-3 (Neighborhood Commercial, Moderate Scale) District approximately 20 feet in a northwesterly direction to increase the portion of the lot that is zoned NC-3; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b). (Planning Department)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin Excused From Voting

Supervisor Ammiano, seconded by Supervisor Dufty, moved to excuse Supervisor Peskin from voting on this matter. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval
Excused: 1 - Peskin

070126 [Wild parrots of Telegraph Hill - Tree preservation adjacent to 233 Greenwich Street]
Supervisor Dufty

Ordinance waiving certain provisions of Public Works Code Section 809 to assume responsibility for the preservation of two (2) Monterey Cypress trees adjacent to 233 Greenwich Street (Assessor's Block 85, Lot 32) that provide habitat for the wild parrots of Telegraph Hill, including pruning and removal as set forth herein, imposing specified tree replanting requirements on the property owner of 233 Greenwich Street in furtherance of Public Works Code Section 809's tree replacement provisions; authorizing the Director of Public Works to enter into a sole source agreement with Ted Kipping, Tree Shapers, LLC, for professional services relating to the pruning of said trees; accepting a gift from the Northeast San Francisco Conservancy to offset the cost of pruning the trees; and authorizing official acts in connection thereto.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 1 - Jew
Excused: 1 - Peskin

Supervisors Dufty and Mirkarimi Excused From Voting

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved to excuse Supervisors Dufty and Mirkarimi from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Dufty, Mirkarimi

070259 **[2007 and 2008 condominium conversion lottery]**
Supervisor McGoldrick

Ordinance amending the Subdivision Code by authorizing conversion of three (3) additional units to account for all buildings selected as winners in the 2007 condominium conversion lottery and deleting three (3) units from the 2008 condominium conversion lottery so that the 2008 lottery consists of 197 total units; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 2 - Dufty, Mirkarimi

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless and women making history honorees
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter, expressed concern with issues related to Tenderloin
John Henry; expressed concern with closing the park on Saturday
Michael Dean; expressed concern with issues related to politics
Jerry Jarverson; expressed concern with issues related to closed session

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

070252 [Legislative Analyst Request]
Supervisor Mirkarimi

Motion requesting the Legislative Analyst to analyze the San Francisco's Neighborhood Watch program administered by San Francisco Safe (originally an SFPD project) and comparisons with other Watch programs in major cities. How are Watch programs created and maintained? (It may be useful to assess existing Watch programs such as the Castro Watch Group.) How do neighborhoods apply and qualify for being designated as Watch neighborhoods? Who approves installation of neighborhood watch signs? Are there parameters that describe active vs. inactive Watch groups? Who maintains a list of active Watch groups? Do Watch groups receive public or private funding? Are there standard procedures for relationships between Watch groups and the police?

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY'S LABOR NEGOTIATORS

Supervisor Elsbernd, seconded by Supervisor Daly, moved to convene in closed session. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070283 [Closed Session - Conference with City's Labor Negotiators]
Supervisor Peskin

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators and the Director of Human Relations, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Continued to April 10, 2007.

CONTINUED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Ammiano, seconded by Supervisor Dufty, moved to not disclose labor negotiations. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070273 **[Resolution urging the Human Services Agency to immediately implement the recommendations of the Shelter Monitoring Committee.]**
Supervisor Ammiano

Resolution urging the Human Services Agency to immediately implement the recommendations of the Shelter Monitoring Committee without further delay.

ADOPTED

070275 **[Urging preservation of AB 2034.]**
Supervisors Daly, Dufty, Ammiano

Resolution urging Governor Arnold Schwarzenegger to preserve full funding of the Integrated Services for Homeless Adults Programs for mental health in the State Budget to ensure homeless prevention, housing security and essential services for mental health consumers.

ADOPTED

070277 **[Accept-Expend Federal Grant - Police Department]**
Supervisor Jew

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $117,000 from the Governor's Office of Emergency Services for a program entitled Project Safe Neighborhood – Gun Elimination Team.

ADOPTED

070278 **[Accept-Expend State Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release.]**
Supervisor Jew

Resolution authorizing the Sheriff's Department to accept and expend a year III continuation grant (Year III) in the amount of $76,283 from the Private Industry Council of San Francisco for providing employment and education services to young offenders in the county jail and after their release, and waiving indirect costs.

ADOPTED

070274 **[Canceling April 3, 2007 Board meeting.]**
Supervisor Peskin

Motion canceling April 3, 2007, meeting of the Board of Supervisors.

APPROVED

070241 **[Final Map - 3175 Mission Street]**

Motion approving Final Map 3416, an 8 Unit Mixed-Use Condominium Project, located at 3175 Mission Street being a subdivision of Lot 12 in Assessors Block No. 5518 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070245 **[Final Map - 418-420 Jessie Street]**

Motion approving Final Map 3987, a 25 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 418-420 Jessie Street being a subdivision of Lot 006 in Assessors Block No. 3704 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070286 **[Final Map - 733 Front Street]**

Motion approving Final Map 3478, a 73 Unit Mixed-Use Condominium Project, located at 733 Front Street being a subdivision of Lot 002 in Assessors Block No. 0166 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from For Adoption Without Committee Reference

070272 **[Resolution supporting inclusion of Small Boat Berthing Rate Availability in the proposed Marina Yacht Harbor Renovation Project]**

Supervisor Alioto-Pier

Resolution supporting inclusion of Small Boat Berthing Rate Availability in the proposed Marina Yacht Harbor Renovation Project.

Supervisor Alioto-Pier requested that this item be severed from For Adoption without Reference to Committee and referred to committee.

REFERRED to the City Operations and Neighborhood Services Committee.

070276 **[Resolution condemning AsianWeek, February 23, 2007, November 24, 2006, and January 12, 2007 issues]**

Supervisors Peskin, Maxwell, McGoldrick, Mirkarimi, Daly, Sandoval, Jew, Elsbernd, Ammiano, Alioto-Pier, Dufty

Resolution condemning AsianWeek and its columnist Kenneth Eng for the inappropriate and damaging column explicitly encouraging racial discrimination in the AsianWeek's February 23, 2007 issue titled, "Why I Hate Blacks".

Supervisor Jew requested that this item be severed from For Adoption without Reference to Committee.

3/6/07 - Amendment of the whole bearing a new title.

Supervisor Jew, seconded by Supervisor Daly, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution condemning AsianWeek and its columnist Kenneth Eng for the inappropriate and damaging column explicitly encouraging racial discrimination in the AsianWeek's February 23, 2007 issue titled, "Why I Hate Blacks", January 12, 2007 issued titled "Why I Hate Asians", and November 24, 2006 issued titled "Proof That Whites Inherently Hate Us".

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved to approve the serious injury. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070334 **[Emergency Declaration Concurrence- Earthslide]**

Motion concurring in the March 2, 2007 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070229 **[Amending certain Traffic Code penalty provisions to delete outdated penalties and provisions that are repetitive of state law]**

Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 ½, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green white and blue zone violations, and parking violations on median dividers and traffic islands. (Municipal Transportation Agency)

2/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070230 **[Reducing the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour and increasing the speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard from 25 to 30 miles per hour]**

Ordinance amending Section 175.29 of the Traffic Code to lower the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour, and establishing a 30 mile per hour speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard.

2/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070231 **[Removing tour bus restrictions on portions of Panorama Drive and Olympia Way]**

Ordinance amending the San Francisco Police Code by repealing sections 1183.6 and 1183.7 to remove restrictions on operating commercial buses on Panorama Drive, between Clarendon Avenue and Twin Peaks Boulevard and on Olympia Way, between Clarendon Avenue and Panorama Drive. (Municipal Transportation Agency)

2/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED RESOLUTIONS

070225 **[Gift - Private, Department of Public Health, Community Behavioral Health Services]**

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with an estimated monetary value of up to $300,000 for the period of January 1, 2007 through December 31, 2009 to expand Opiate Replacement Therapy services in San Francisco. (Public Health Department)

2/21/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070227 **[Airport Professional Services Agreement]**

Resolution approving the Professional Services Agreement for the Management and Operation of the Airport's Public and Employee Parking Facilities between New South Parking - California and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

2/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070228 **[County Refugee Services Plan]**

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for federal fiscal year 2006-2007. (Human Services Department)

2/26/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070232 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
Castenada and Magellan Avenues, making this T-intersection an All-Way STOP;
Stillings, Detroit and Vista Verde, stopping Detroit Street and Vista Verde Court, making this uncontrolled intersection a two-way STOP;
19th Street and Caselli Avenue, stopping 19th Street, making this uncontrolled intersection a two-way STOP;
Hermann and Webster Streets, stopping Hermann Street, making this intersection an All-Way STOP;
21st and Florida Streets, stopping 21st Street, making this intersection an All-Way STOP.;
Chestnut and Avila Street, stopping Avila Street; and,
Mallorca and Chestnut Street, stopping Mallorca Street. (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)

2/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070243 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

TRANSIT LANE, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY- ESTABLISH
Clay Street, south side, between Davis and Drumm Streets (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)
2/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070244 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2971 21st Street, south side, between the driveways for #2965 - and #2971- 21st Street (establishes three motorcycle parking spaces); and,
Octavia Boulevard, east side, from Linden Street to 14 feet northerly (accommodating 4 motorcycle parking spaces)

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Pine Street, south side, from Polk Street to Larkin Street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM EVERYDAY- RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Clay Street, south side, from Stockton Street to 84 feet westerly.

TOW-AWAY NO STOPPING, 6 AM TO 6 PM EVERYDAY - RESCIND
TOW-AWAY NO STOPPING, 7 AM TO 7 PM, EVERYDAY - ESTABLISH
Sacramento Street, north side, between Powell and Mason Streets

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Clay Street, north side, between Davis and Drumm Streets

NO PARKING ANYTIME - ESTABLISH
Clay Street, north side, between Davis Street and 18 feet easterly

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Pennsylvania Avenue, west side, from 20th Street to 127 feet north of 22nd Street (500 and 600 blocks up and including address #672) (legislating existing conditions) (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)
2/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

ADJOURNMENT

The Meeting adjourned at 5:28 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

Tuesday, March 13, 2007 2:00 PM

VOTES

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

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First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01 p.m. On the call of the roll Supervisors Alioto-Pier, Ammiano, Maxwell, McGoldrick and Sandoval were noted absent.

There was a quorum.

Supervisors Alioto-Pier and Sandoval were noted present at 2:03 p.m.

Supervisors Ammiano, Maxwell, and McGoldrick Excused from Attendance

Supervisor Jew, seconded by Supervisor Mirkarimi, moved to excuse Supervisors Ammiano, Maxwell, and McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Sandoval, moved to approve the February 6, 2007 and February 13, 2007 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061533 [Sale of Vacant City Property on Alemany Boulevard near Ocean Avenue]
Supervisors Sandoval, Peskin, Daly, Mirkarimi, Dufty

Ordinance ordering the sale of City-owned property located on Alemany Boulevard, between Ocean Avenue and Onondaga Avenue, commonly known as Assessor's Block Number 6954, Lot 11C; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings that Administrative Code Chapter 23A does not apply to such sale; and authorizing other actions in furtherance of this ordinance.

FINALLY PASSED

061534 [Appropriating $850,000 of Property Sale Proceeds for Homeless and Low-Income Housing to the Mayor's Office of Housing for Fiscal Year 2006-2007]
Supervisors Sandoval, Peskin, Daly, Dufty, Mirkarimi

Ordinance appropriating $850,000 from the Sale of Surplus Property for Homeless and Low-Income Housing in the Mayor's Office of Housing for Fiscal Year 2006-2007.

(Fiscal Impact.)

FINALLY PASSED

070177 [Appropriating $1,344,490 for Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in Recreation and Park and Public Works for Fiscal Year 2006-2007]
Supervisors Daly, Sandoval, Dufty, Ammiano, Mirkarimi

Ordinance appropriating $1,074,490 of Capital & One-Time Spending Rainy Day Reserve and $270,000 of Recreation and Park Savings Incentive Reserve to support $1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and $300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

(Fiscal Impact.)

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

061646 [Recreation and Park-Prohibition of alcoholic beverages in South Park]
Supervisor Daly

Ordinance amending the San Francisco Park Code Sec. 4.10 to prohibit the consumption of alcoholic beverages in South Park.

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

070090 **[Police Charity Audits]**
Supervisor Peskin

Ordinance amending the San Francisco Police Code Section 660.4-1 requiring the Controller to audit financial statements of charitable organizations submitted pursuant to Section 660.3(e) of the Police Code.

FINALLY PASSED

070136 **[Appropriation of Assessments Levied for Three Business Improvement Districts Established During Fiscal Year 2006-2007]**
Supervisor Peskin

Ordinance amending the Fiscal Year 2006-2007 Annual Appropriation Ordinance by adding Section 30.7, to appropriate revenues collected from special assessments for disbursement to the respective nonprofit owners' associations for administration of the three property and/or business-based business improvement districts established in San Francisco during Fiscal Year 2006-2007 (i.e., the Fillmore Jazz, Central Market, and Fisherman's Wharf Portside Community Benefit Districts), for authorized purposes.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

060640 **[Zoning Map Amendment, vacant lot, Alemany Blvd. between Ocean and Onondaga Avenues]**
Supervisors Sandoval, Peskin

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the use designation of Lot 11C in Assessor's Block 6954 from RH-1 (One-Family) to NC-3 (Moderate-Scale Neighborhood Commercial District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

FINALLY PASSED

061480 **[Zoning Map Amendment for 915 Cayuga Avenue]**
Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco in order to shift a zoning district boundary which is located entirely within Assessor's Block 6954 Lot 033 and which divides an RH-1 (Residential, House, One Family) District from an NC-3 (Neighborhood Commercial, Moderate Scale) District approximately 20 feet in a northwesterly direction to increase the portion of the lot that is zoned NC-3; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b). (Planning Department)

FINALLY PASSED

Recommendations of the Rules Committee

070006 [Appointment - Shelter Monitoring Committee]

Resolution appointing Diana Greer, term ending November 23, 2008, to the Shelter Monitoring Committee.

Diana Greer, succeeding Keith Kemp, term expired, seat 5, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

ADOPTED

070234 [Appointment - Veterans Affairs Commission]

Resolution appointing Jill Buck, term ending January 31, 2010, Edwin Wilkerson, Bud Wilson and Regalado Baldonado, terms ending January 21, 2011, to the Veterans Affairs Commission; residency requirement waived.

Jill Buck, succeeding herself, term expired, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2010;
Edwin Wilkerson, succeeding Ralph Gibson, Sr., term expired, seat 7, must be a person who served in the Armed Forces of the United States of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, for a new four-year term ending January 31, 2011;
Bud Wilson, succeeding himself, term expired, seat 8, must be an at-large appointment, for a new four-year term ending January 31, 2011;
Regalado Baldonado, succeeding Edwin Wilkerson, term expired, seat 11, must be an at-large appointment, for a new four-year term ending January 31, 2011.

ADOPTED

070236 [Appointment - In-Home Supportive Services Public Authority]

Resolution appointing Elizabeth Grigsby, term ending March 1, 2010, to the In-Home Supportive Services Public Authority.

Elizabeth Grigsby, succeeding herself, seat 9, term expiring March 1, 2007, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for a new three-year term ending March 1, 2010.

ADOPTED

070238 [Appointment - Foster Care Improvement Task Force]

Resolution appointing Toni Heineman, term ending August 31, 2007, to the Foster Care Improvement Task Force.

Toni Heineman, new appointment, seat 2, must be a representative of a neighborhood organization from Potrero Hill, for the unexpired portion of a two-year term ending August 31, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be approved.)

070152 **[Affirming certification of San Francisco Marina Renovation FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project. (Clerk of the Board)

Continued to March 20, 2007.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070153 **[Disapproving certification of San Francisco Marina Renovation FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project Project.

Continued to March 20, 2007.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070154 **[Preparation of findings to disapprove certification of San Francisco Marina Renovation FEIR]**
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project FEIR. (Clerk of the Board)

Continued to March 20, 2007.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

Recommendation of the City Operations and Neighborhood Services Committee

070083 **[Public Works Construction - Use of Recycled Content Materials]**
Supervisor McGoldrick

Ordinance amending Chapter 6 of the Administrative Code by amending Section 6.4 to require recycled content materials to be used in public works and improvements to the maximum extent feasible.

FINALLY PASSED by the following vote:
Ayes: 6 - Daly, Dufty, Jew, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 3 - Ammiano, Maxwell, McGoldrick

Recommendations of the Land Use and Economic Development Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could be excused from discussion on File No. 070126.

The President resumed the Chair shortly thereafter.

070126 **[Wild parrots of Telegraph Hill - Tree preservation adjacent to 233 Greenwich Street]**
Supervisor Dufty

Ordinance waiving certain provisions of Public Works Code Section 809 to assume responsibility for the preservation of two (2) Monterey Cypress trees adjacent to 233 Greenwich Street (Assessor's Block 85, Lot 32) that provide habitat for the wild parrots of Telegraph Hill, including pruning and removal as set forth herein, imposing specified tree replanting requirements on the property owner of 233 Greenwich Street in furtherance of Public Works Code Section 809's tree replacement provisions; authorizing the Director of Public Works to enter into a sole source agreement with Ted Kipping, Tree Shapers, LLC, for professional services relating to the pruning of said trees; accepting a gift from the Northeast San Francisco Conservancy to offset the cost of pruning the trees; and authorizing official acts in connection thereto.

Supervisor Peskin previously excused on File No. 070126.

FINALLY PASSED by the following vote:
Ayes: 6 - Alioto-Pier, Daly, Dufty, Elsbernd, Mirkarimi, Sandoval
Noes: 1 - Jew
Excused: 4 - Ammiano, Maxwell, McGoldrick, Peskin

070259 **[2007 and 2008 condominium conversion lottery]**
Supervisor McGoldrick

Ordinance amending the Subdivision Code by authorizing conversion of three (3) additional units to account for all buildings selected as winners in the 2007 condominium conversion lottery and deleting three (3) units from the 2008 condominium conversion lottery so that the 2008 lottery consists of 197 total units; and making environmental findings.

Supervisors Dufty and Mirkarimi previously excused on File No. 070259.

Continued to March 20, 2007.

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061432 [Clean Construction Ordinance]
Supervisors Maxwell, Daly, Mirkarimi

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within eighteen months; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

(Fiscal impact.)

Supervisor Mirkarimi added as a co-sponsor.

Continued to March 20, 2007.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070209 [Public Employment and Accept-Expend State Grant - Sheriff's Department project to address the needs of mentally ill offenders in the jails]
Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the addition of a 2932 Senior Psychiatric Social Worker in the Department of Public Health and a 8444 Deputy Probation Officer in the Adult Probation Department, and authorizing the Sheriff's Department to accept and expend an 18-month grant in the amount of $995,128 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program, and waiving indirect costs.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070103 [Airport Concession Lease]

Resolution approving Amendment No. 4 to the Travelex America Inc. Lease Agreement for Foreign Currency Exchange in the New International Terminal Building and Existing Terminal Buildings at San Francisco International Airport Lease No. 99-0449 between Travelex America Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070140 [Designation of MuniServices, LLC ("Contractor") as City's Authorized Representative in Sales and Use Tax Records Examination]

Resolution Designating MuniServices, LLC ("Contractor") as the City and County of San Francisco's Authorized Representative in Sales and Use Tax Records Examination. (Controller)

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070257 [Accept-Expend Federal and State Grants - Department of Public Works]
Supervisors Daly, Dufty

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $1,327,950 and a state grant in the amount of $172,050 from the Metropolitan Transportation Commission for the Valencia Streetscape Improvements Project.

ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070258 [Accept-Expend Federal and State Grants - Department of Public Works]
Supervisor Maxwell

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $1,559,899 and a state grant in the amount of $202,101 from the Metropolitan Transportation Commission for the Leland Avenue Streetscape Improvements Project.

ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070261 [Authorizing the Director of Public Works or his or her designee to execute Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with the California Department of Transportation]
Mayor

Resolution authorizing the Director of Public Works or his or her designee to execute Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with the California Department of Transportation.

ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

Recommendation of the Government Audit and Oversight Committee

070080 [Prohibiting mobile catering trucks from operating near public schools]
Supervisors Elsbernd, Maxwell, Dufty, Mirkarimi

Ordinance amending the San Francisco Police Code to prohibit operators of mobile catering vehicles from selling within 1500 feet of a public middle school, junior high school, or high school.

Supervisor Mirkarimi added as a co-sponsor.

3/13/07 - Amendment of the whole bearing the same title.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

Recommendations of the Land Use and Economic Development Committee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070223 **[Changing the official sidewalk width - Folsom Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1573 to change the official sidewalk width on the northerly side of Folsom Street easterly of 8th Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070224 **[Changing the official sidewalk width - Stockton Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1571 to change the official sidewalk widths on the westerly side of Stockton Street between Geary and Ellis Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070220 **[Urging The Planning Commission to initiate and recommend an amendment to the Housing Element of the General Plan]**

Supervisor McGoldrick

Resolution urging the Planning Department, Mayor's Office of Housing and relevant City Departments to initiate and recommend amendments to the Housing Element of the General Plan to evaluate the expansion of the Residential Inclusionary Affordable Housing Program to housing developments of all sizes.

Continued to March 20, 2007.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

Recommendations of the Rules Committee

070076 [Appointing Road Commissioner - Fred V. Abadi, Ph.D]
Mayor

Ordinance appointing Fred V. Abadi, Ph.D., Director of Public Works, Road Commissioner for the City and County of San Francisco, and repealing Ordinance 18-02.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070237 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Luke Lightning, Matthew Furey and Catherine Ann Swineford, terms ending November 23, 2007, to the Western SoMa Citizens' Planning Task Force.

Luke Lightning, succeeding Robert Rhine, seat 2, must be a resident of western SoMa for less than three years, for the unexpired portion of a three-year term ending November 23, 2007.
Matthew Furey, succeeding Mark Vernon, resigned, seat 5, must be raising a family in western SoMa, for the unexpired portion of a three-year term ending November 23, 2007.
Catherine Ann Swineford, new appointment, seat 23, must be a person representing the interests of homeless individuals, for the unexpired portion of a three-year term ending November 23, 2007.

ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070233 [Appointment to San Francisco LAFCO]

Motion appointing Supervisor Jake McGoldrick, term ending February 20, 2011, to the San Francisco Local Agency Formation Commission.

APPROVED by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

Supervisor Alioto-Pier welcomed, introduced and presented Certificates of Honor to Major General Mike Myatt and Lewis Loeven.

Supervisor Dufty welcomed, introduced, and presented a Certificate of Honor to Sergeant James Wertz.

RECESS

At the hour of 2:57 p.m. the Board recessed.

The meeting was called to order at 4:03 p.m. On the call of the roll Supervisor Sandoval was noted absent. Supervisors Ammiano, Maxwell and McGoldrick were previously excused.

There was a quorum.

SPECIAL ORDER 4:00 P.M.

070155 **[Public Hearing - Appeal of Categorical Exemption from Envrionmental Review for 869 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 2, 2006(Case No. 2005.0399E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section(s) 15301 and 15303; Class Number(s): 1 and 3]. The proposal would demolish a vacant two-story, single-family residential building and construct a three-story with mezzanine, three-family residential building measuring approximately 6,000 gross-square-feet (gsf), and three off-street parking spaces in a surface level garage, located at 869 North Point Street (Assessor's Block 0026/Lot 019B) is 3,437.5 square feet in size and located in the Russian Hill Neighborhood. The project site is zoned RH-3 (Residential House District, Three-Family) and within a 40-X Height and Bulk district. (Appellant: Roland Salvato on behalf of the Aquatic Park Neighbors)

(Filed January 31, 2007; companion measure to Files 070155, 070156, 070157, 070158, District 2.)

The President inquired as to whether or not the appellant or project sponsor wished to address the Board concerning continuing the hearing.

Joe Butler, Little House Committee, representing the appellant

David Cincotta, representing the project sponsor

Continued to March 20, 2007 at 4:00 p.m.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070156 **[Affirming the categorical exemption issued for the 869 North Point project.]**

Motion affirming the determination by the Planning Department that the 869 North Point project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to March 20, 2007 at 4:00 p.m.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070157 **[Disapproving the categorical exemption issued for the 869 North Point project]**

Motion disapproving the determination by the Planning Department that the 869 North Point project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to March 20, 2007 at 4:00 p.m.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070158 **[Preparation of findings related to the 869 North Point project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 869 North Point Street is exempt from environmental review under the California Environmental Quality Act.

Continued to March 20, 2007 at 4:00 p.m.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

RECESS

At the hour of 4:16 p.m. the Board recessed.

The meeting was called to order at 4:32 p.m. On the call of the roll Supervisors Daly and Sandoval were noted absent. Supervisors Ammiano, Maxwell and McGoldrick were previously excused.

There was a quorum.

SPECIAL ORDER 4:30 P.M.

070163 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 120 Howard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated December 28, 2006 (Case No. 2006.0616E), exempting from environmental review under Categorical Exemption Class 32, [State Guidelines, Section 15332]. The proposal would construct an approximately 67,310 gross-square-foot (gsf) vertical addition to an existing 134,933 gsf, eight-story office building with ground floor retail uses, a partial 9th floor penthouse and an attached garage with approximately 70 off-street parking spaces. The vertical addition would fill in the 9th floor and add three new stories increasing the height of the building by 56 feet from 103'6" to 159'6", located at 120 Howard Street (Assessor's Block 3717, Lot 019). The project site is located within the C-3-O (Downtown Office) and the C-3-O(SD) (Downtown Office - Special Development) zoning district and within a 200-S height and bulk district. (Appellant: Margo N. Bradish, Esq. on behalf of the State Bar of California)

(Filed February 1, 2007; companion measure to Files 070163, 070164, 070165, 070166, District 6.)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070164 **[Affirming the categorical exemption issued for the 120 Howard Street project]**

Motion affirming the determination by the Planning Department that the 120 Howard Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070165 **[Disapproving the categorical exemption issued for the 120 Howard Street project]**

Motion disapproving the determination by the Planning Department that the 120 Howard Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

070166 [Preparation of findings related to the 120 Howard Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 120 Howard Street is exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 2 - Daly, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

COMMITTEE REPORTS

070305 [Urging the United States Congress to Secure the Immediate and Safe Withdrawal of U.S. Troops from Iraq]

Supervisors Daly, Ammiano, Dufty, Mirkarimi

Resolution calling upon the United States Congress to exercise its constitutional authority to revoke the United States' commitment of military forces in Iraq and to secure the immediate, safe and orderly withdrawal of all our troops from Iraq.

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Excused: 3 - Ammiano, Maxwell, McGoldrick

070268 [Accept-Expend State Grant - Sheriff's Department project to address the needs of prisoners reentering the community]

Supervisors Mirkarimi, Maxwell, Daly

Resolution authorizing the Sheriff's Department to apply for, accept and expend $708,333 in funds from the Division of Community Partnerships through the Intergovernmental Partnership (IGP) Grant Program to fund the implementation and expansion of innovative programs designed to reduce recidivism and prevent community victimization; waiving any indirect costs.

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Female speaker; expressed concern with issues relating to Mayor's San Francisco business interests
Male speaker; expressed concern with various issues
Male speaker; expressed concern with various issues
John DiDonna; expressed concern with issues relating to art and life
Male speaker; expressed concern with issues relating to the Western Addition creating a district emergency plan
Female speaker; expressed concern with issues relating to the establishment of a Federal Department of Peace and Nonviolence
Lin Egress, expressed concern with issues relating to the establishment of a Federal Department of Peace and Nonviolence
Josh; expressed concern with issues relating to the establishment of a Federal Department of Peace and Nonviolence
Maggie Car; expressed concern with issues relating to the establishment of a Federal Department of Peace and Nonviolence
Andy Manilla; expressed concern with issues relating to the establishment of a Federal Department of Peace and Nonviolence
Richard Robinson; expressed concern with issues relating to the homeless

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070319 **[Resolution endorsing the United Nations principle of the responsibility to protect.]**
Supervisors Dufty, Peskin, Mirkarimi, Alioto-Pier, Maxwell

Resolution endorsing the United Nations principle of the responsibility to protect.

ADOPTED

070320 **[Supporting AB43 - Religious Freedom and Civil Marriage Act]**
Supervisors Ammiano, Dufty

Resolution urging the California Assembly and Senate and the Governor of California to support Assembly Bill 43 (AB43), the "Religious Freedom and Civil Marriage Act", which defines marriage as a civil contract between two people.

ADOPTED

070321 **[Resolution of the City and County of San Francisco supporting a Federal Department of Peace and Nonviolence.]**

Supervisors Alioto-Pier, Ammiano, Dufty, Mirkarimi

Resolution supporting the establishment of a Federal Department of Peace and Nonviolence.

ADOPTED

070290 **[Final Map - 565 Arguello Boulevard]**

Motion approving Final Map No. 4067, a 5 Unit Residential Condominium Project, located at 565 Arguello Boulevard being a subdivision of Lot 13 in Assessors Block No. 1543 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070293 **[Settlement of Lawsuit - Marnie Carter]**

Ordinance authorizing settlement of the lawsuit filed by Marnie Carter against the City and County of San Francisco for $100,000; the lawsuit was filed on March 30, 2005 in San Francisco Superior Court, Case No. 439-948; entitled Marnie Carter, et al., v. City and County of San Francisco, et al. (City Attorney)

2/28/07, RECEIVED AND ASSIGNED to Rules Committee.

070294 **[Settlement of Lawsuit - Adrienne Hogan]**

Ordinance authorizing the settlement of a lawsuit filed by Adrienne Hogan against the City and County of San Francisco for $50,000.00 (fifty thousand dollars); the lawsuit was filed on September 19, 2005, in San Francisco Superior Court, Case No. 444952, entitled Adrienne Hogan v. City and County of San Francisco et al. (City Attorney)

2/28/07, RECEIVED AND ASSIGNED to Rules Committee.

070295 **[Settlement of Lawsuit - Hattie Finn-Carter]**

Ordinance authorizing the settlement of a lawsuit filed by Hattie Finn-Carter against the City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha for $70,000.00 (seventy thousand dollars); the lawsuit was filed on February 13, 2006, in United States District Court for the Northern District of California, Case No. 06-1067, entitled Hattie Finn-Carter v. City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha. (City Attorney)

2/28/07, RECEIVED AND ASSIGNED to Rules Committee.

070296 **[Appropriating $4,440,000 of General Fund Reserve funding for County Jail No. 3 Construction Project legal costs]**

Ordinance appropriating $4,440,000 of General Fund Reserve funding for litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office. (Sheriff)

2/28/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

070141 **[Three Month Extension of Tolling Agreement]**

Resolution approving a three month extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco"). (City Attorney)

1/29/07, RECEIVED AND ASSIGNED to Rules Committee.

3/6/07, SUBSTITUTED. City Attorney's Office submitted a substitute resolution bearing new title.

3/6/07, ASSIGNED to Rules Committee.

070292 **[Contract with Anticipated Expenditure in Excess of $10 Million]**

Resolution approving an Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger, Golden Gate Disposal & Recycling Company, and SF Recycling & Disposal Company, Inc. (Contractors) for refuse services, resulting in total compensation to the Contractors in an amount not to exceed $23,500,000, pursuant to San Francisco Charter Section 9.118(b). (City Administrator)

2/28/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070298 **[Airport Commission Declaration of Emergency Contract Pursuant to Section 21.15 of the San Francisco Administration Code]**

Resolution concurring with the Airport Commission's Declaration of Emergency in response to the Transportation Security Administration's Security Directive 1542-06-01B requiring immediate additional screening of materials in the sterile areas of the Airport and approving the contract between the Airport Commission and Primeflight Aviation Services, Inc. (Airport Commission)

3/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070299 **[Ten Year Capital Expenditure Plan]**

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2008-2017. (City Administrator)

3/5/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting adjourned at 4:37 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, March 20, 2007 2:00 PM

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

SF
970
#67
3/20/07

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbemd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Maxwell was noted absent.

There was a quorum.

Supervisor Maxwell was noted present at 2:08 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Mirkarimi, moved to approve the February 27, 2007 Board Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

070209 **[Public Employment and Accept-Expend State Grant - Sheriff's Department project to address the needs of mentally ill offenders in the jails]**
Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the addition of a 2932 Senior Psychiatric Social Worker in the Department of Public Health and a 8444 Deputy Probation Officer in the Adult Probation Department, and authorizing the Sheriff's Department to accept and expend an 18-month grant in the amount of $995,128 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program, and waiving indirect costs.

(Fiscal impact.)

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

070225 **[Gift - Private, Department of Public Health, Community Behavioral Health Services]**

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benckiser Pharmaceuticals with an estimated monetary value of up to $300,000 for the period of January 1, 2007 through December 31, 2009 to expand Opiate Replacement Therapy services in San Francisco. (Public Health Department)

ADOPTED

Recommendations of the Land Use and Economic Development Committee

070223 **[Changing the official sidewalk width - Folsom Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1573 to change the official sidewalk width on the northerly side of Folsom Street easterly of 8th Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

FINALLY PASSED

070224 **[Changing the official sidewalk width - Stockton Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1571 to change the official sidewalk widths on the westerly side of Stockton Street between Geary and Ellis Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

FINALLY PASSED

Recommendation of the Rules Committee

070076 **[Appointing Road Commissioner - Fred V. Abadi, Ph.D]**

Mayor

Ordinance appointing Fred V. Abadi, Ph.D., Director of Public Works, Road Commissioner for the City and County of San Francisco, and repealing Ordinance 18-02.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

070152 **[Affirming certification of San Francisco Marina Renovation FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Jew, Mirkarimi

070153 **[Disapproving certification of San Francisco Marina Renovation FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Jew, Mirkarimi

070154 **[Preparation of findings to disapprove certification of San Francisco Marina Renovation FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the San Francisco Marina Renovation Project FEIR. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to approve this matter.
Motion to approve this matter passed by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Jew, Mirkarimi

Supervisor Sandoval, seconded by Supervisor Jew, moved to rescind the vote on this matter.
Motion to rescind the vote on this matter passed by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Jew, Mirkarimi

Recommendations of the Budget and Finance Committee

070022 [Municipal Broadband]
Supervisors McGoldrick, Mirkarimi, Ammiano, Daly

Resolution urging the City and County of San Francisco to weigh the costs and benefits of a Google/Earthlink provided wireless Internet, versus an autonomous Wireless connection created and maintained by the City and County of San Francisco itself.

(Supervisor Dufty dissented in Committee.)

Supervisor McGoldrick requested that File No. 070022 be re-referred to committee.
REFERRED to the City Operations and Neighborhood Services Committee.

061432 [Clean Construction Ordinance]
Supervisors Maxwell, Daly, Mirkarimi, Ammiano

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within eighteen months; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

(Fiscal impact.)

3/20/07 - Amendment of the whole bearing a new title.
Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 6 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Peskin
Noes: 4 - Daly, Jew, Mirkarimi, Sandoval
Absent: 1 - McGoldrick

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within two years; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

(Fiscal impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Absent: 1 - McGoldrick

Recommendation of the Government Audit and Oversight Committee

070080 [Prohibiting mobile catering trucks from operating near public schools]
Supervisors Elsbernd, Maxwell, Dufty, Mirkarimi

Ordinance amending the San Francisco Police Code to prohibit operators of mobile catering vehicles from selling within 1500 feet of a public middle school, junior high school, or high school.

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

070259 [2007 and 2008 condominium conversion lottery]
Supervisor McGoldrick

Ordinance amending the Subdivision Code by authorizing conversion of three (3) additional units to account for all buildings selected as winners in the 2007 condominium conversion lottery and deleting three (3) units from the 2008 condominium conversion lottery so that the 2008 lottery consists of 197 total units; and making environmental findings.

Supervisors Dufty and Mirkarimi previously excused from voting on File No. 070259.

FINALLY PASSED by the following vote:
Ayes: 7 - Ammiano, Daly, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 2 - Dufty, Mirkarimi

070220 [Urging The Planning Commission to initiate and recommend an amendment to the Housing Element of the General Plan]
Supervisor McGoldrick

Resolution urging the Planning Department, Mayor's Office of Housing and relevant City Departments to initiate and recommend amendments to the Housing Element of the General Plan to evaluate the expansion of the Residential Inclusionary Affordable Housing Program to housing developments of all sizes.

Supervisor McGoldrick requested File No. 070220 be re-referred to committee.

REFERRED to the Land Use and Economic Development Committee.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070255 [Health Care Security Ordinance Amendments]
Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1 through 14.4 to: (1) authorize the Department of Public Health to establish and maintain reimbursement accounts from which employees covered by the San Francisco Health Care Security Ordinance ("HCSO") may seek reimbursement for health care expenses; (2) clarify remedies for violations of the HCSO; and (3) make other technical changes and findings.

Supervisor McGoldrick added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070354 [Healthcare Security Ordinance Amendment]
Supervisors Ammiano, Dufty, McGoldrick

Ordinance amending Section 14.8 of the Administrative Code to extend to 2008 the operative date of the portion of the Health Care Security Ordinance requiring minimum employer health care expenditures.

Supervisor McGoldrick added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Daly, Jew, Sandoval

070210 [Public Employment]
Supervisors Dufty, Maxwell, Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (2.25 0.68 FTEs) at Adult Probation (ADP).

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

070260 [De-Appropriating $22,294,696 of parking tax revenue from the Municipal Transportation Agency and replacing it with a transfer from the General Fund for Fiscal Year 2006-2007]
Mayor

Ordinance de-appropriating $22,294,696 of parking tax revenue from the Municipal Transportation Agency (MTA) and re-appropriating the revenue to the General Fund. Replace the revenue with a like transfer amount of $22,294,696 from the General Fund in lieu of the parking tax allocation for Fiscal Year 2006-2007.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070279 **[Issuance and Sale of Revenue Bonds - Catholic Healthcare West]**
Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $985,000,000 to finance certain medical facilities owned and operated by Catholic Healthcare West.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070137 **[Common use policy for cargo handling facilities]**
Supervisor Peskin

Resolution urging the Airport Commission to institute a 'Common Use Policy' for cargo handling facilities with consideration of leasing cargo space to cargo handlers.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

070031 **[Commercial Vehicle Parking on Post Street]**
Supervisor Peskin

Resolution establishing temporary occupancy of a portion of the commercial vehicle parking meters on the north side of Post Street between Kearny and Montgomery from 8:30 am to 5:00 pm on every Thursday beginning January 1, 2007 through December 31, 2007.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

RECESS

At the hour of 3:03 p.m. the Board recessed.

The meeting was reconvened at 4:02 p.m. On the call of the roll Supervisors McGoldrick and Sandoval were noted absent.

Supervisor McGoldrick was noted present at 4:55 p.m.

There was a quorum.

SPECIAL ORDER 4:00 P.M.

070054 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 350 Masonic Avenue/2130 Golden Gate Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 14, 2006 (Case No. 2005.0156E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15332], Class 32. The proposal to remove an existing eight-car off-street surface parking lot and demolish a 1,550-gross-square-foot (gsf) single-family residence at 2130 Golden Gate Avenue and construct an approximately 15,200-gsf structure and a 2,500-gsf underground garage. The project site is within an RH-3 (Residential, House, Three-Family) zoning district, and a 40-X height and bulk district located at 350 Masonic/2130 Golden Gate Avenues, Lots 29 and 11 in Assessor's Block 1149. (Appellant: F. Joseph Butler)

(Filed January 5, 2007; Companion measure to Files 070054, 070055, 070056, 070057; District 5.)

Continued to March 27, 2007.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070055 [Affirming the categorical exemption issued for 350 Masonic/2130 Golden Gate Avenues]

Motion affirming the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to March 27, 2007.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

070056 [Disapproving the categorical exemption issued for 350 Masonic/2130 Golden Gate Avenues]

Motion disapproving the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to March 27, 2007.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

070057 [Preparation of findings related to the 350 Masonic/2130 Golden Gate Avenues project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 350 Masonic/2130 Golden Gate Avenues is exempt from environmental review under the California Environmental Quality Act.

Continued to March 27, 2007.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

SPECIAL ORDER 4:00 P.M.

070155 [Public Hearing - Appeal of Categorical Exemption from Envrionmental Review for 869 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 2, 2006(Case No. 2005.0399E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section(s) 15301 and 15303; Class Number(s): 1 and 3]. The proposal would demolish a vacant two-story, single-family residential building and construct a three-story with mezzanine, three-family residential building measuring approximately 6,000 gross-square-feet (gsf), and three off-street parking spaces in a surface level garage, located at 869 North Point Street (Assessor's Block 0026/Lot 019B) is 3,437.5 square feet in size and located in the Russian Hill Neighborhood. The project site is zoned RH-3 (Residential House District, Three-Family) and within a 40-X Height and Bulk district. (Appellant: Roland Salvato on behalf of the Aquatic Park Neighbors)

(Filed January 31, 2007; companion measure to Files 070155, 070156, 070157, 070158, District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.

Joseph Butler, representing the appellant

Speakers in support of the appellant: Rollen Suban; Russ Maston; Bruce Hale; Ms. Moberg.

Paul Maltzer and Bill Lica, Planning Department representatives reviewed with the Board the Planning Department's recommendation

David Cincotta, representing the project sponsor
Mr. Kelly, representing the project sponsor

Speakers in support of the project sponsor: Vincent Tamara, subject property owner.

Rebuttal Period:
Joseph Butler, representing the appellant

Elaine Warren, Deputy City Attorney

The President closed the public hearing
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070156 [Affirming the categorical exemption issued for the 869 North Point project.]

Motion affirming the determination by the Planning Department that the 869 North Point project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to approve this matter.
Motion to approve this matter failed by the following vote:
Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Jew
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1- Sandoval

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Jew
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070157 [Disapproving the categorical exemption issued for the 869 North Point project]

Motion disapproving the determination by the Planning Department that the 869 North Point project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to table this matter.
Motion to table this matter failed by the following vote:
Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Jew
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1- Sandoval

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Jew
Absent: 1 - Sandoval

070158 [Preparation of findings related to the 869 North Point project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 869 North Point Street is exempt from environmental review under the California Environmental Quality Act.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Jew
Absent: 1 - Sandoval

COMMITTEE REPORTS

070311 **[Confirming the appointment of Linda Cheu to the Redevelopment Agency, term ending September 3, 2010.]**

Mayor

Resolution confirming the appointment of Linda Cheu to the San Francisco Redevelopment Agency, term ending September 3, 2010.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070280 **[Mayor's Reappointment, Taxi Commission - Patricia Breslin]**

Motion approving the Mayor's reappointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2009. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues related to the homeless
James Chaffee; expressed concern with issues related to the SF Public Library
Robert Ball; expressed concern with issues related to power systems
Male speaker; expressed concern with issues related to homeland security
Eugene Gordon Jr.; expressed concern with issues related to religion
Dr. Ahimsa Porter Sum Chai; expressed concern with issues related to construction at toxic sites
Peter Warfield; expressed concern with issues related to the SF Library
Male speaker; expressed concern with issues related to the Golden Gate Park Stables

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070350 **[Urging Congress to fully restore funding for the Community Oriented Policing Services (COPS) program in the Fiscal Year 2008 budget.]**
Supervisors Elsbernd, Dufty, Mirkarimi

Resolution urging Congress to fully restore funding for the Community Oriented Policing Services (COPS) program in the Fiscal Year 2008 budget.

ADOPTED

070351 **[Sunset Branch Library reopening]**
Supervisors Mirkarimi, Elsbernd, Jew

Resolution recognizing the reopening of the Sunset Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

Supervisor Jew added as a co-sponsor.
ADOPTED

070342 **[Final Map - 170 King Street]**
Motion approving Final Map 3375, a 202 Unit Mixed-Use Condominium Project, located at 170 King Street being a subdivision of Lot 75 in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070343 **[Final Map - 1555 Burke Avenue]**
Motion approving Final Map 3069, a 16 Commercial Unit Condominium Project, located at 1555 Burke Avenue being a subdivision of Lot 45 in Assessors Block No. 5203 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070344 **[Final Map - 168 Bluxome Street]**
Motion approving Final Map 3418, a 48 Unit Live-Work Condominium Project, located at 168 Bluxome Street being a subdivision of Lot 134 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070345 **[Final Map - 673 Brannan Street]**
Motion approving Final Map 3419, a 48 Unit Live-Work Condominium Project, located at 673 Brannan Street being a subdivision of Lot 133 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070325 **[Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]**

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

3/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070327 **[Consent Calendar Procedures]**

Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)

3/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/9/2007.

PROPOSED RESOLUTIONS

070322 **[Settlement of Claim - Glorina Crisostomo]**

Resolution approving the settlement of the unlitigated claim filed by Ms. Glorina Crisostomo against San Francisco for $30,000; claim was filed on May 16, 2006. (City Attorney)

3/7/06, RECEIVED AND ASSIGNED to Rules Committee.

070323 **[Settlement of Claim - Eun Young Lee]**

Resolution approving the settlement of the unlitigated claim filed by Eun Young Lee against the City and County of San Francisco for payment of $88,493 and reinstatement of paid leave to vacation account; claim was filed on April 3, 2005. (City Attorney)

3/7/07, RECEIVED AND ASSIGNED to Rules Committee.

070324 **[Gift of Equipment to Fire Department]**

Resolution authorizing the San Francisco Fire Department to accept a gift of a custom firefighter air system to be installed within the Folsom Street training tower valued at $15,000 from Rescue Air Systems for training, emergency preparedness, high rise safety, and related purposes. (Fire Department)

3/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070326 **[Reprogramming of $789,715 from SFGH's equipment budget to purchase a Materials and Supplies Inventory and Purchasing System Upgrade]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram $789,715 in funding budgeted at San Francisco General Hospital (SFGH) for medical equipment to purchase a Materials and Supplies Inventory and Purchasing System Upgrade in FY 2006-07. (Public Health Department)

3/8/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070328 **[Board Review and Approval of 2007 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]**

Resolution approving the City and County of San Francisco 2007 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Department)

3/12/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting adjourned at 5:08 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

Tuesday, March 27, 2007 2:00 PM

VOTES

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

SF
59
#67
3/27/07

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Dufty was noted absent.

There was a quorum.

Supervisor Dufty was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to approve the March 6, 2007 meeting minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070260 **[De-Appropriating $22,294,696 of parking tax revenue from the Municipal Transportation Agency and replacing it with a transfer from the General Fund for Fiscal Year 2006-2007]**
Mayor

Ordinance de-appropriating $22,294,696 of parking tax revenue from the Municipal Transportation Agency (MTA) and re-appropriating the revenue to the General Fund. Replace the revenue with a like transfer amount of $22,294,696 from the General Fund in lieu of the parking tax allocation for Fiscal Year 2006-2007.

FINALLY PASSED

070226 **[2007 Annual Fundraising Drive]**

Resolution designating those agencies qualified to participate in the 2007 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

ADOPTED

Recommendations of the Rules Committee

070109 **[Settlement of Lawsuit - Harvey John Merk]**

Ordinance authorizing settlement of the lawsuit filed by Harvey John Merk against the City and County of San Francisco for $135,000; the lawsuit was filed on August 5, 2005 in San Francisco Superior Court, Case No. 443-654; entitled Harvey John Merk, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

070141 **[Three Month Extension of Tolling Agreement]**

Supervisor Elsbernd

Resolution approving a three month extension of mutual tolling agreement between the City of Daly City ("Daly City") and the City and County of San Francisco ("San Francisco"). (City Attorney)

Supervisor Elsbernd added as a co-sponsor.

ADOPTED

070242 **[Appointment - Foster Care Improvement Task Force]**

Resolution appointing Helen Birch, term ending August 31, 2007, to the Foster Care Improvement Task Force; residency requirement waived.

Helen Birch, new appointment, seat 1, must be a representative of a neighborhood organization from Oceanview/Merced/Ingleside, for the unexpired portion of a two-year term ending August 31, 2007.

ADOPTED

070293 **[Settlement of Lawsuit - Marnie Carter]**

Ordinance authorizing settlement of the lawsuit filed by Marnie Carter against the City and County of San Francisco for $100,000; the lawsuit was filed on March 30, 2005 in San Francisco Superior Court, Case No. 439-948; entitled Marnie Carter, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

070294 **[Settlement of Lawsuit - Adrienne Hogan]**

Ordinance authorizing the settlement of a lawsuit filed by Adrienne Hogan against the City and County of San Francisco for $50,000.00 (fifty thousand dollars); the lawsuit was filed on September 19, 2005, in San Francisco Superior Court, Case No. 444952, entitled Adrienne Hogan v. City and County of San Francisco et al. (City Attorney)

PASSED, ON FIRST READING

070295 **[Settlement of Lawsuit - Hattie Finn-Carter]**

Ordinance authorizing the settlement of a lawsuit filed by Hattie Finn-Carter against the City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha for $70,000.00 (seventy thousand dollars); the lawsuit was filed on February 13, 2006, in United States District Court for the Northern District of California, Case No. 06-1067, entitled Hattie Finn-Carter v. City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha. (City Attorney)

PASSED, ON FIRST READING

070297 **[Settlement of Lawsuit - San Francisco Bay Area Transit District]**

Supervisor Peskin

Ordinance authorizing revised settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for the principal amount of $2,367,570.

PASSED, ON FIRST READING

070340 **[Appointment - Child Care Planning and Advisory Council]**

Resolution appointing Juanita Santana, term ending December 31, 2008, to the Child Care Planning and Advisory Council.

Juanita Santana, succeeding herself, term expired, seat 7, must be a nominee of District 7 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a three-year term ending December 31, 2008.

ADOPTED

070338 **[Appointment - Citizens' General Obligation Bond Oversight Committee]**

Resolution appointing Shawn Leonard, term ending November 21, 2008, to the Citizens' General Obligation Bond Oversight Committee.

Shawn Leonard, succeeding William Wong, term expired, seat 2, must be active in labor organizations, for the unexpired portion of a two-year term ending November 21, 2008.

ADOPTED

070339 **[Appointment - Asthma Task Force]**

Resolution appointing Nanette Madden, term ending June 30, 2007, to the Asthma Task Force.

Nanette Madden, succeeding Julie McKown, seat 14, resigned, must be an individual who represents health care professions working with asthmatics and is a voting member, for the unexpired portion of a two-year term ending June 30, 2007.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

070388 [Adopting findings related to disapproving the categorical exemption issued for the 869 North Point Street Project]

Motion adopting findings related to disapproving the determination by the Planning Department that the 869 North Point Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

Recommendations of the Budget and Finance Committee

061432 [Clean Construction Ordinance]
Supervisors Maxwell, Daly, Mirkarimi, Ammiano

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within two years; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

(Fiscal impact.)

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

070210 [Public Employment]
Supervisors Dufty, Maxwell, Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (2.25 0.68 FTEs) at Adult Probation (ADP).

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

070255 [Health Care Security Ordinance Amendments]
Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1 through 14.4 to: (1) authorize the Department of Public Health to establish and maintain reimbursement accounts from which employees covered by the San Francisco Health Care Security Ordinance ("HCSO") may seek reimbursement for health care expenses; (2) clarify remedies for violations of the HCSO; and (3) make other technical changes and findings.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070354 [Healthcare Security Ordinance Amendment]
Supervisors Ammiano, Dufty, McGoldrick

Ordinance amending Section 14.8 of the Administrative Code to extend to 2008 the operative date of the portion of the Health Care Security Ordinance requiring minimum employer health care expenditures.

FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Daly, Jew, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070227 [Airport Professional Services Agreement]
Resolution approving the Professional Services Agreement for the Management and Operation of the Airport's Public and Employee Parking Facilities between New South Parking - California and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070292 **[Contract with Anticipated Expenditure in Excess of $10 Million]**

Resolution approving an Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger, Golden Gate Disposal & Recycling Company, and SF Recycling & Disposal Company, Inc. (Contractors) for refuse services, resulting in total compensation to the Contractors in an amount not to exceed $23,037,527, pursuant to San Francisco Charter Section 9.118(b). (City Administrator)

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070318 **[Master Agreement for Federal Aid Transportation Funds]**

Mayor

Resolution approving the execution of a Master Agreement for Federal-Aid Projects between the City and County of San Francisco, through its Municipal Transportation Agency (for the Department of Parking and Traffic), and the California Department of Transportation.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070308 **[TEFRA Approval for the Execution and Delivery of Tax-Exempt Certificates of Participation (City Office Buildings - Multiple Properties Project)]**

Supervisor Elsbernd

Resolution approving the issuance and sale of tax-exempt certificates of participation in an aggregate principal amount not to exceed $162,000,000 to finance the acquisition and/or improvement of the portions of the buildings known as One South Van Ness Avenue, 1650 Mission Street and 30 Van Ness Avenue that are currently leased to nonprofit corporations.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

070299 **[Ten Year Capital Expenditure Plan]**

Supervisor Elsbernd

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2008-2017. (City Administrator)

Supervisor Elsbernd added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Daly, Jew, Sandoval

Recommendation of the Land Use and Economic Development Committee

070021 [Planning Code Amendment-Landmarking Interiors of Publicly-Accessible Buildings]
Supervisors McGoldrick, Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 1004, 1005 and 1006.7 to provide for review of proposed changes to interior architectural features of privately-owned landmark buildings where such features are in areas of the landmark that are generally accessible to members of the public; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Peskin added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

Recommendations of the Rules Committee

061695 [Assessment Appeals Boards: expanding Board Two jurisdiction]
Supervisor Peskin

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards" by amending Section 2B.6 and Section 2B.13 to expand the jurisdiction of Board Two (1) from less than $20,000,000 to less than $50,000,000 maximum assessed roll value, and (2) to include jurisdiction over residential property of four units or less in the downtown and south of Market areas that are currently excluded from Board Two jurisdiction.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061696 [Assessment Appeals Board Local Procedural Rule Modification: Time period for Applicants to request reconsideration after denial of application due to failure to appear at hearing]
Supervisor Peskin

Resolution approving modification of Assessment Appeals Board local Procedural Rule 21 as approved by a joint meeting of AAB members, to improve hearing calendar management by providing that an Applicant will have thirty (30) days (instead of the current sixty (60) days) to file a request for reconsideration whenever the AAB has denied an application due to the Applicant's failure to appear at the scheduled hearing.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070122 [Conflict of Interest Code Amendments]
Supervisor Elsbernd

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.102.5, 3.1-105, 3.1-120, 3.1-145, 3.1-150, 3.1-155, 3.1-160, 3.1-175, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-242, 3.1-245, 3.1-252, 3.1-265, 3.1-267, 3.1-270, 3.1-275, 3.1-285, 3.1-312, 3.1-315, 3.1-320, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-420, 3.1-435, 3.1-440, 3.1-445, and 3.1-500; renumbering sections 3.1-252, 3.1-265, and 3.1-375 as sections 3.1-255, 3.1-362 and 3.1-252, respectively; deleting sections 3.1-109, 3.1-168, 3.1-170, 3.1-220, 3.1-222, 3.1-290, 3.1-400, 3.1-423, and 3.1-430; and adding sections 3.1-108, 3.1-193, 3.1-251, 3.1-253, and 3.1-457, all to update the list of designated employees who must file financial disclosure statements, to modify the applicable disclosure categories, and to clarify that consultants for each City agency must file financial disclosures in disclosure category 1 unless the agency's director has indicated otherwise. (Clerk of the Board)

Supervisor Elsbernd added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061470 [Thirty Day Hold for Legislation Involving Planning or Land Use]
Supervisors Peskin, Jew

Motion amending the Rules Order of the Board of Supervisors to add Rule 5.41 requiring that significant amendments to the Administrative Code involving land use or planning issues shall be referred to the Planning Department and prohibiting Board or Committee action on such legislation until thirty days after introduction.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CALLED FROM COMMITTEE

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to April 10, 2007.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

RECESS

At the hour of 3:18 p.m. the Board recessed.

The meeting was reconvened at 3:37 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin on behalf of the entire Board of Supervisors introduced and presented a Certificate of Honor to Gloria L. Young, Clerk of the Board.

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to Scott Sanchez.

SPECIAL ORDER 4:00 P.M.

070054 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 350 Masonic Avenue/2130 Golden Gate Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 14, 2006 (Case No. 2005.0156E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15332], Class 32. The proposal to remove an existing eight-car off-street surface parking lot and demolish a 1,550-gross-square-foot (gsf) single-family residence at 2130 Golden Gate Avenue and construct an approximately 15,200-gsf structure and a 2,500-gsf underground garage. The project site is within an RH-3 (Residential, House, Three-Family) zoning district, and a 40-X height and bulk district located at 350 Masonic/2130 Golden Gate Avenues, Lots 29 and 11 in Assessor's Block 1149. (Appellant: F. Joseph Butler)

(Filed January 5, 2007; Companion measure to Files 070054, 070055, 070056, 070057; District 5.)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070055 **[Affirming the categorical exemption issued for 350 Masonic/2130 Golden Gate Avenues]**

Motion affirming the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070056 **[Disapproving the categorical exemption issued for 350 Masonic/2130 Golden Gate Avenues]**

Motion disapproving the determination by the Planning Department that the 350 Masonic/2130 Golden Gate Avenues project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070057 **[Preparation of findings related to the 350 Masonic/2130 Golden Gate Avenues project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 350 Masonic/2130 Golden Gate Avenues is exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

070043 **[Liquor License Transfer, 46 Minna Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 877 Bryant Street to 46 Minna Street (District 6) to Robert Nunez, Martel Tolor, Jacek Ostoya, and Nabiel Musleh for Harlot will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

3/27/07 - "(1) The sale and service of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. and 12:00 midnight Sunday through Tuesday and 10:00 a.m. to 2:00 a.m. on Wednesday through Saturday, and 10:00 a.m. to 2:00 a.m. - New Year's Eve, Christmas Eve, Thanksgiving Eve, the Fourth of July, and the Sunday before Labor Day and Memorial Day. The hour of operations for this PCN request divided into File No. 070429." Divided into File No. 070429.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Resolution be DIVIDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 877 Bryant Street to 46 Minna Street to Robert Nunez, Martel Tolor, Jacek Ostoya, and Nabiel Musleh for Harlot will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070429 [Liquor License Transfer, 46 Minna Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 877 Bryant Street to 46 Minna Street to Robert Nunez, Martel Tolor, Jacek Ostoya, and Nabiel Musleh for Harlot will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Divided from File No. 070043.

ADOPTED by the following vote:

Ayes: 6 - Alioto-Pier, Elsbernd, Jew, Maxwell, McGoldrick, Peskin
Noes: 5 - Ammiano, Daly, Dufty, Mirkarimi, Sandoval

070085 [Plastic Bag Reduction Ordinance]

Supervisors Mirkarimi, Ammiano, McGoldrick, Daly, Sandoval, Peskin, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Environment Code by adding Chapter 17, sections 1701 through 1709, to: (1) require the use of compostable plastic, recyclable paper and/or reusable checkout bags by stores located in the City and County of San Francisco, and (2) provide penalties for violations.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues related to the SF Public Library
Pat Deno; expressed concern with issues related to patented items and disability issues
Mr. Fergerson; expressed concern with issues related to seniors
Eugene Gordon Jr.; expressed concern with issues related to police services
Male speaker; expressed concern with issues related to city services
Charlotte May; wished luck to Gloria Young
John Di Donna; expressed concern with various issues
Peter Warfield; expressed concern with issues related to the library
Male speaker; expressed concern with issues related to public health
Troll Hill; expressed concern with issues related to public smoking

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070373 **[Honoring Agnes Cassidy on her 100th birthday.]**
Supervisors Dufty, Maxwell

Resolution honoring Agnes Cassidy on her 100th birthday.

ADOPTED

070374 **[Urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of Seniors cut from the program last year and to expand the program to meet the increasing need for America's Seniors.]**
Supervisors Dufty, Daly

Resolution urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of Seniors cut from the program last year and to expand the program to meet the increasing need for America's Seniors.

ADOPTED

070375 **[Commending Gloria Young]**
Supervisors Peskin, Jew, Elsbernd

Resolution commending Gloria Young for her distinguished service as Clerk of the Board of Supervisors, Legislative Administrator and City Clerk of the City and County of San Francisco.

Supervisor Elsbernd added as a co-sponsor.
ADOPTED

070376 **[Declaring World Water Day on March 22, 2007.]**
Supervisor Mirkarimi

Resolution declaring March 22, 2007 as World Water Day in the City and County of San Francisco.

ADOPTED

070377 **[Extending review time for landmark tree designation at 733 27th Avenue.]**
Supervisor McGoldrick

Resolution extending the landmark tree designation review period for a holly at 733 27th Avenue (Assessor's Block 1617, Lot 003) for an additional 90 days beyond the 180-day temporary landmark tree designation term in accordance with Public Works Code Section 810(d) and requesting other official acts in connection with this extension.

ADOPTED

070378 **[Urging the Taxi Commission to resolve the outstanding issues of limousines competing unfairly with Taxis for fares in San Francisco's Hospitality Industry.]**
Supervisors Ammiano, Elsbernd

Resolution urging the Taxi Commission to resolve the outstanding issues of limousines competing unfairly with taxis for fares in San Francisco's Hospitality Industry.

Supervisor Elsbernd added as a co-sponsor.
ADOPTED

070379 **[Requesting the amendment of the Metropolitan Transportation Commission.]**
Supervisor Ammiano

Resolution requesting the amendment of the Metropolitan Transportation Commission Act to provide for the appointee of the Mayor to serve at the pleasure of the Mayor.

ADOPTED

070380 **[Celebrating Norooz]**
Supervisor Mirkarimi

Resolution celebrating the Persian New Year of Norooz and proclaiming March 20, 2007, the first day of Norooz.

ADOPTED

070356 **[Final Map - 906-910 Union Street and 9 Redfield Alley]**

Motion approving Final Map 3274, a Five Unit Residential Condominium Project, located at 906-910 Union Street and 9 Redfield Alley being a subdivision of Lot 4A in Assessors Block No. 0099 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

070357 **[Final Map - 900 Northpoint Street]**

Motion approving Final Map 3909, a 56 Commercial Unit Condominium Project, located at 900 Northpoint Street being a subdivision of Lot 001 in Assessors Block No. 0452 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

070358 **[Extending to October 1, 2007 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at former Naval Station Treasure Island]**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement retroactively from September 30, 2006 to October 1, 2007. (Treasure Island Development Authority)

3/19/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070359 **[Approving a Memorandum of Understanding between the Treasure Island Development Authority and the City and County of San Francisco relating to staffing and oversight of the Treasure Island Project Office]**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Memorandum of Understanding appointing the City and County of San Francisco, acting by and through the Office of the City Administrator, as its agent to provide services to carry out the day-to-day operations of the Treasure Island Development Authority and to provide oversight to the Treasure Island Project Office for the term beginning retroactively on July 1, 2006. (Treasure Island Development Authority)

3/19/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070360 **[Board of Supervisors Resolution re Refunding Bond and Swaps Authorization]**

Resolution approving the issuance of up to $1,400,000,000 aggregate principal amount of San Francisco International Airport second series revenue refunding bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; Approving the maximum interest rate, notional amount and term of certain interest rate swap transactions in connection with such refunding bonds; Approving Assured Guaranty Corp. and CIFG Assurance North America, Inc. as providers of reserve fund surety bonds and the forms of reimbursement agreement relating thereto; and approving certain related matters. (Airport Commission)

3/19/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting adjourned at 4:17 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

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Tuesday, April 10, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Madeleine Licavoli, Acting Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to approve the March13, 2007 meeting minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMUNICATIONS

Communication received from former Clerk of the Board, Gloria L. Young thanking the Board of Supervisors.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

061662 **[Liquor License Transfer, 83 First Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 7404 Mission Street to 83 First Street to Mark E. Rennie for The Bar Downtown, LLC dba The Bar Downtown, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED

070228 [County Refugee Services Plan]

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for federal fiscal year 2006-2007. (Human Services Department)

ADOPTED

Recommendations of the Rules Committee

061695 [Assessment Appeals Boards: expanding Board Two jurisdiction]

Supervisor Peskin

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards" by amending Section 2B.6 and Section 2B.13 to expand the jurisdiction of Board Two (1) from less than $20,000,000 to less than $50,000,000 maximum assessed roll value, and (2) to include jurisdiction over residential property of four units or less in the downtown and south of Market areas that are currently excluded from Board Two jurisdiction.

FINALLY PASSED

070122 [Conflict of Interest Code Amendments]

Supervisor Elsbernd

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.102.5, 3.1-105, 3.1-120, 3.1-145, 3.1-150, 3.1-155, 3.1-160, 3.1-175, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-242, 3.1-245, 3.1-252, 3.1-265, 3.1-267, 3.1-270, 3.1-275, 3.1-285, 3.1-312, 3.1-315, 3.1-320, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-420, 3.1-435, 3.1-440, 3.1-445, and 3.1-500; renumbering sections 3.1-252, 3.1-265, and 3.1-375 as sections 3.1-255, 3.1-362 and 3.1-252, respectively; deleting sections 3.1-109, 3.1-168, 3.1-170, 3.1-220, 3.1-222, 3.1-290, 3.1-400, 3.1-423, and 3.1-430; and adding sections 3.1-108, 3.1-193, 3.1-251, 3.1-253, and 3.1-457, all to update the list of designated employees who must file financial disclosure statements, to modify the applicable disclosure categories, and to clarify that consultants for each City agency must file financial disclosures in disclosure category 1 unless the agency's director has indicated otherwise. (Clerk of the Board)

FINALLY PASSED

070109 [Settlement of Lawsuit - Harvey John Merk]

Ordinance authorizing settlement of the lawsuit filed by Harvey John Merk against the City and County of San Francisco for $135,000; the lawsuit was filed on August 5, 2005 in San Francisco Superior Court, Case No. 443-654; entitled Harvey John Merk, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

070293 [Settlement of Lawsuit - Marnie Carter]

Ordinance authorizing settlement of the lawsuit filed by Marnie Carter against the City and County of San Francisco for $100,000; the lawsuit was filed on March 30, 2005 in San Francisco Superior Court, Case No. 439-948; entitled Marnie Carter, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

070294 **[Settlement of Lawsuit - Adrienne Hogan]**

Ordinance authorizing the settlement of a lawsuit filed by Adrienne Hogan against the City and County of San Francisco for $50,000.00 (fifty thousand dollars); the lawsuit was filed on September 19, 2005, in San Francisco Superior Court, Case No. 444952, entitled Adrienne Hogan v. City and County of San Francisco et al. (City Attorney)

FINALLY PASSED

070295 **[Settlement of Lawsuit - Hattie Finn-Carter]**

Ordinance authorizing the settlement of a lawsuit filed by Hattie Finn-Carter against the City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha for $70,000.00 (seventy thousand dollars); the lawsuit was filed on February 13, 2006, in United States District Court for the Northern District of California, Case No. 06-1067, entitled Hattie Finn-Carter v. City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha. (City Attorney)

FINALLY PASSED

070297 **[Settlement of Lawsuit - San Francisco Bay Area Transit District]**
Supervisor Peskin

Ordinance authorizing revised settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for the principal amount of $2,367,570.

FINALLY PASSED.

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Consent Agenda

061513 **[Liquor License Transfer, 450 Rhode Island]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1801 San Jose Avenue to 450 Rhode Island Street, and the issuance of a Type 41 on-sale beer and wine eating place license at the same location, to Anthony M. Gilmore for Whole Foods Market California, Inc. dba Whole Foods Market, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Supervisor Dufty requested this item be severed from the Consent Agenda.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Dufty

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

070085 [Plastic Bag Reduction Ordinance]
Supervisors Mirkarimi, Ammiano, McGoldrick, Daly, Sandoval, Peskin, Maxwell, Alioto-Pier

Ordinance amending the San Francisco Environment Code by adding Chapter 17, sections 1701 through 1709, to: (1) require the use of compostable plastic, recyclable paper and/or reusable checkout bags by stores located in the City and County of San Francisco, and (2) provide penalties for violations.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

Recommendation of the Land Use and Economic Development Committee

070021 [Planning Code Amendment-Landmarking Interiors of Publicly-Accessible Buildings]
Supervisors McGoldrick, Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 1004, 1005 and 1006.7 to provide for review of proposed changes to interior architectural features of privately-owned landmark buildings where such features are in areas of the landmark that are generally accessible to members of the public; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

CALLED FROM COMMITTEE

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to April 17, 2007.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070208 **[Electronic benefit transfers, monthly pay period; deleting payment by emergency check]**
Mayor, Supervisors Ammiano, Dufty

Ordinance amending sections 20.57.6A, 20.59, 20.59.1, 20.59.3, 20.76, 20.106, and 20.206 of the San Francisco Administrative Code by: 1) authorizing the Department of Human Services (DHS) to provide aid payments in the form of electronic benefit transfers in the General Assistance program, 2) authorizing DHS to provide aid payments on a monthly basis, and 3) deleting DHS' ability to provide aid payments in the form of emegergency checks.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070254 **[Appropriating $19,884,652 for San Francisco General Hospital, Laguna Honda Hospital and Health Access Program expenditures to the Department of Public Health for Fiscal Year 2006-2007]**
Supervisors Ammiano, Dufty

Ordinance appropriating $19,884,652 of sources, including $9,443,985 of additional San Francisco General Hospital patient revenue, $5,000,000 of San Francisco General Hospital prior year settlements, $3,354,090 of additional Laguna Honda Hospital Medi-Cal revenue and $423,945 of Laguna Honda Hospital Distinct Part Nursing Facility federal funding and de-appropriating $1,662,632 in surplus Mental Health Program salaries and Laguna Honda Hospital Social Security budget; appropriating $19,884,652 of uses, including $12,617,977 in salaries, related fringe, overtime and materials and supplies at San Francisco General Hospital, $5,031,675 in overtime, materials and supplies, and other related expenses at Laguna Honda Hospital, and $2,235,000 for information technology infrastructure costs to implement the Health Access Program; and de-appropriating $741,973 of General Fund sources and uses to reflect prior appropriation for additional funding for HIV/AIDS related services (File No. 070123 and 070127) in the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to rescind the previous vote.
Motion to rescind the vote on this item passed by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

070296 [Appropriating $4,440,000 of General Fund Reserve funding for County Jail No. 3 Construction Project legal costs]

Ordinance appropriating $4,440,000 of General Fund Reserve funding for litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office. (Sheriff)

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070298 [Airport Commission Declaration of Emergency Contract Pursuant to Section 21.15 of the San Francisco Administration Code]

Resolution concurring with the Airport Commission's Declaration of Emergency in response to the Transportation Security Administration's Security Directive 1542-06-01B requiring immediate additional screening of materials in the sterile areas of the Airport and approving the contract between the Airport Commission and Primeflight Aviation Services, Inc. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070309 [Department of Elections Amendment to Current Voting Systems Contract]

Supervisor Daly

Resolution approving the award and execution of a 17 month amendment to an existing contract by the City and County of San Francisco, through its Department of Elections (Department), with Elections Systems & Software (ES&S), for the provision of voting services and the maintenance of the current voting system.

(Fiscal Impact.)

Continued to April 17, 2007.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

070328 [Board Review and Approval of 2007 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]

Resolution approving the City and County of San Francisco 2007 grant application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

070078 **[Healthy Products, Healthy Children Ordinance]**
Supervisor Alioto-Pier

Ordinance amending the San Francisco Health Code by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to: re-state the ban on toys, child care products, and child feeding products made with certain phthalates; repeal the ban on toys, child care products, and child feeding products made with Bisphenol-A, pending State action; add a new title and findings; provide for implementation and enforcement, including administrative and criminal penalties; and, add disclaimer of liability and severability clauses.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question related to the regulations concerning Bishenol-A.
Motion to adopt regulations concerning Bishenol-A passed by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070229 **[Amending certain Traffic Code penalty provisions to delete outdated penalties and provisions that are repetitive of state law]**
Supervisor McGoldrick

Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 ½, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green white and blue zone violations, and parking violations on median dividers and traffic islands. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

061214 **[Approving Zoning Map Amendments for the Trinity Plaza Project at Market and 8th Streets]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061216 **[Zoning - Establishing the Trinity Plaza Special Use District at Market and 8th Streets]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, 5Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

Economic Impact

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061217 **[Trinity Plaza Development Agreement; Property at 1167 Market St., 670-693 Stevenson St., and 1164 Mission St.]**
Supervisor Daly

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, a California limited partnership, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1 (b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A.1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061688 [Zoning-Use of Transferable Development Rights (TDRs)]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070194 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

070160 [Public Hearing - Report of assessment costs for sidewalk and curb repairs]

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

The President inquired as to whether or not any member of the public wished to address the Board.

Robert Quan, Department of Public Works, informed the Board that the property owners had paid the sidewalk assessmetn cost.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

070161 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin welcomed, introduced and presented Certificates of Honor to the young people of the San Francisco Peer Court Program.

Supervisor Sandoval welcomed, introduced and presented a Certificate of Honor to Wayne Hemer.

Supervisor Dufty welcomed, introduced, and presented Certificates of Honor to Karri Cormican and Hannah Bridgeman-Oxley.

COMMITTEE REPORTS

070256 [Supporting attempts in the California State Legislature to overturn the Copley decision]
Supervisors Ammiano, McGoldrick

Resolution urging the California State Legislature to uphold the public's right to access misconduct information about public employees by supporting legislation to overturn the Copley Decision.

ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

061529 [Residential Inclusionary Affordable Housing Requirements]
Supervisors McGoldrick, Maxwell

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to add update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; and making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

Continued to April 17, 2007.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070262 [Mint Plaza public improvements on a portion of Jessie and Mint Streets.]
Supervisor Daly

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets,including authorization to allow certain specified uses and occupancy in said area, including café tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070102 [Traffic regulations - vehicular closure of Jessie Street between Mint and 5th Streets]
Supervisor Peskin

Resolution approving closing Jessie Street between 5th and Mint Streets to vehicular traffic and making environmental findings and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1. (Parking and Traffic Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair at 3:52 p.m.

The President resumed the Chair at 4:00 p.m.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues related to the homeless
Peter Warfield; expressed concern with issues related to the library
Richard Stipman; expressed concern with issues related to profiling by police
James Chaffee; expressed concern with issues related to the SF Public Library
Female speaker; expressed concern with issues related to police services
John Di Donna; expressed concern with various issues
Male speaker; express concern with issues related to politics
Richard Robinson; expressed concern with issues related to transgender marriage

CLOSED SESSION

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to convene in closed session. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONFERENCE WITH CITY'S LABOR NEGOTIATORS

CLOSED SESSION
The Board recessed at the hour of 4:15 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:20 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Clare M. Murphy, Executive Director San Francisco Employees Retirement System
Jim Horan, Interim Executive Director, Department of Human Resources
Micki Callaghan, Deputy Director, Department of Human Resources
Cheryl Adams, Deputy City Attorney
Monique Zmuda, Deputy Controller
Kay Gulbengay, Interim Clerk of the Board

070283 [Closed Session - Conference with City's Labor Negotiators]
Supervisor Peskin

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators and the Director of Human Resources, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to not disclose. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CLOSED SESSION

The Board recessed at the hour of 4:15 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:20 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070419 **[Closed Session – Public Employee Appointment – Clerk of the Board, Legislative Administrator and City Clerk]**
Supervisor Peskin

Motion that the Board of Supervisors convene in closed session to discuss the Public Employee Appointment – Clerk of the Board, Legislative Administrator and City Clerk.

This closed session is permitted by Government Code Section 54957, and the San Francisco Administrative Code Section 67.8.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending public employment appointment.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to not disclose. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The following motion was prepared and reported out from the Board of Supervisor.

070427 **[Appointment of Interim Clerk of the Board]**
Supervisor Peskin

Motion appointing Kay Gulbengay as the Interim Clerk of the Board pursuant to Charter section 2.117.

Motion No. M07-45

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070414 **[Proclaiming December 30, 2006 as Tomasa Perez Day in San Francisco.]**
Supervisor Sandoval

Resolution proclaiming December 30, 2006 as Tomasa Perez Day in San Francisco

ADOPTED

070415 **[Proclaiming April 10, 2007 as Wayne Hemer Day in San Francisco]**
Supervisor Sandoval

Resolution proclaiming April 10, 2007 as Wayne Hemer Day in San Francisco.

ADOPTED

070416 **[City and School District Special Meeting]**
Supervisor Dufty

Motion calling special meetings of the City and School District Select Committee of the Board of Supervisors to be held on Thursday, April 12, 2007 at 3:30 P.M. and Thursday, April 26, 2007 at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

APPROVED

070430 **[Final Map - 2298 Lombard Street]**
Motion approving Final Map 3917, a 16 Unit Mixed-Use Condominium Project, located at 2298 Lombard Street being a subdivision of Lot 006 in Assessors Block No. 0490 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

070431 **[Final Map - 1314 Polk Street]**
Motion approving Final Map 3565, a 33 Unit Mixed-Use Condominium Project, located at 1314 Polk Street being a subdivision of Lot 5 in Assessors Block No. 0668 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

070440 [Final Map for Block 10A, Planned Development, Mission Bay South]

Motion approving Final Map Tract 3715, Planned Development, Mission Bay (Block 10A), a one-lot subdivision for Condominium purposes, being a Planned Development of Assessor's Block 8720, Lot 17; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed fron For Adoption Withouth Committee Reference

070417 [Issuance and sale of tax-exempt bonds - Drew School.]
Supervisor Alioto-Pier

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $11,000,000 to finance and/or refinance various capital facilities owned by Drew School or an affiliate.

Supervisor Daly requested that this item be referred to committee.

REFERRED to the Budget and Finance Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved to approve the Purely Commendatory. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070426 [Commending People Paddle for AIDS]
Supervisor Daly

Resolution commending People Paddle for AIDS for raising funds and awareness towards the HIV/AIDS challenge.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070418 [Settlement of Lawsuit - Andrew Marconi]
Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi against the City and County of San Francisco for $82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978 CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)
3/28/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

070390 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
40th Avenue at Geary Boulevard, establishing an All-Way STOP control intersection; and,
Anza Vista Avenue at Baker Street, stopping the stem of this T-intersection. (Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

3/21/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

3/30/07, TRANSFERRED to Land Use and Economic Development Committee.

070391 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURNS, 7 AM TO 7 PM EVERYDAY - ESTABLISH
5th Street, southbound, onto Mission Street.

CROSSWALK CLOSURE - ESTABLISH
Sagamore Street at San Jose Avenue (Closing the easternmost crosswalk as part of a plan to signalize the existing crosswalk crossing Sagamore Street at Plymouth Avenue. The westernmost crosswalk will remain). (Parking and Traffic Department)

(3/15/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

3/21/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

3/30/07, TRANSFERRED to Land Use and Economic Development Committee.

070392 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Geary Boulevard, north side, from Scott Street to 162 feet west of Divisadero Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2921 Washington Street, south side, between the driveways in front of the main entrance to create four motorcycle parking spaces.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Dorado Terrace, west side, in front of #41 Dorado Terrace to #79 Dorado Terrace; and,
Dorado Terrace, east side, from #312 to #224 Dorado Terrace (to legalize existing conditions)

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Indiana Street, both sides, between Cesar Chavez and Marin Streets (1600 block);
and,
Indiana Street, west side, between Marin and Tulare Streets (1700 block).

PARKING METERS (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Castro Street, east side, from Jersey Street to 96 feet southerly (eight parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lisbon Street, west side, from Avalon Avenue to 20 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Lisbon Street, east side, from Avalon Avenue to 20 feet southerly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY -ESTABLISH
115 Wisconsin Street, east side, from 16th Street to 44 feet southerly (44 foot space, approximately two parking spaces).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Sansome Street, west side, from Washington Street to Broadway.

TOW-AWAY, NO STOPPING ANYTIME - EXTEND
Junipero Serra Boulevard, east side, from 208 feet to 268 feet south of Monterey Boulevard at St. Francis Circle to facilitate an extension of the double northbound left turn lane (60-foot extension). (Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

3/21/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

3/30/07, TRANSFERRED to Land Use and Economic Development Committee.

070393 **[Sale of Vacant Real Property Located at 849 Cesar Chavez Street, San Francisco, California (Lot 5 in Assessor's Block 4357]**

Resolution authorizing the sale of vacant land under the jurisdiction of the San Francisco Public Utilities Commission to Gaehwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

3/21/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070394 **[Agreement to Purchase 4-8 Guy Place]**

Resolution approving and authorizing an agreement for the purchase of real property located on 4-8 Guy Place (Lot 005, Block 3749), for public open space for a purchase price of $1,800,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

3/21/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070395 **[Contract funds to support participation in an international HIV/AIDS study]**

Resolution authorizing the San Francisco Department of Public Health (DPH) – AIDS Office, to enter into an agreement with Blood Systems Research Institute (BSRI) and to retroactively accept and expend funds in the amount of $12,192 for a project entitled Retrovirus Epidemiology Donor Study – II (REDS-II) – International; for the period of January 1, 2007 through April 30, 2007. (Public Health Department)

3/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070396 **[Lease of Real Property at 1145 Market Street]**

Resolution authorizing extension and amendment of a lease of real property at 1145 Market Street for the Health Service System. (Real Estate Department)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070397 **[Apply For-Accept-Expend Federal Funding - Community Development Block Grant]**

Resolution approving the 2007/08 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling $24,618,026. (Mayor)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070398 **[Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]**

Resolution approving the 2007/08 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $943,166. (Mayor)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070399 **[Apply For-Accept-Expend Federal Funding - HOME Program]**

Resolution approving the 2007/08 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling $8,445,053. (Mayor)

3/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting adjourned at 5:28 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, April 17, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Ammiano and McGoldrick were noted absent.

There was a quorum.

Supervisors Ammiano and McGoldrick were noted present at 2:08 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Jew, moved to approve the March 20, 2007 and March 27, 2007 meeting minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070208 [Electronic benefit transfers, monthly pay period; deleting payment by emergency check]
Mayor, Supervisors Ammiano, Dufty

Ordinance amending sections 20.57.6A, 20.59, 20.59.1, 20.59.3, 20.76, 20.106, and 20.206 of the San Francisco Administrative Code by: 1) authorizing the Department of Human Services (DHS) to provide aid payments in the form of electronic benefit transfers in the General Assistance program, 2) authorizing DHS to provide aid payments on a monthly basis, and 3) deleting DHS' ability to provide aid payments in the form of emeegergency checks.

FINALLY PASSED

070397 **[Apply For-Accept-Expend Federal Funding - Community Development Block Grant]**
Resolution approving the 2007/08 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling $24,618,026. (Mayor)

ADOPTED

070398 **[Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]**
Resolution approving the 2007/08 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of $943,166. (Mayor)

ADOPTED

070399 **[Apply For-Accept-Expend Federal Funding - HOME Program]**
Resolution approving the 2007/08 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2007/08 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling $8,445,053. (Mayor)

ADOPTED

Recommendation of the City Operations and Neighborhood Services Committee

070229 **[Amending certain Traffic Code penalty provisions to delete outdated penalties and provisions that are repetitive of state law]**
Supervisor McGoldrick

Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 ½, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green white and blue zone violations, and parking violations on median dividers and traffic islands. (Municipal Transportation Agency)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

061214 **[Approving Zoning Map Amendments for the Trinity Plaza Project at Market and 8th Streets]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

FINALLY PASSED

061216 **[Zoning - Establishing the Trinity Plaza Special Use District at Market and 8th Streets]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, 5Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

Economic Impact

FINALLY PASSED

061217 **[Trinity Plaza Development Agreement; Property at 1167 Market St., 670-693 Stevenson St., and 1164 Mission St.]**
Supervisor Daly

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, a California limited partnership, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1 (b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A. 1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

FINALLY PASSED

061688 **[Zoning-Use of Transferable Development Rights (TDRs)]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

FINALLY PASSED

070194 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1. (Planning Department)

FINALLY PASSED

070262 [Mint Plaza public improvements on a portion of Jessie and Mint Streets.]
Supervisor Daly

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets,including authorization to allow certain specified uses and occupancy in said area, including café tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

FINALLY PASSED

Recommendations of the Public Safety Committee

070265 [Accept-Expend State Grant - Police Department]
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $330,000.00 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET)" program.

ADOPTED

070266 [Accept-Expend Federal Grant - Police Department]
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $98,280 from the Governor's Office of Emergency Services for a program entitled Project Safe Neighborhood – Operation Cease-Fire.

ADOPTED

Recommendations of the Rules Committee

070193 **[Accept-Expend Federal and State Grants for Voting Equipment]**

Resolution authorizing the Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301 in an amount not to exceed $5,742,340 for voting equipment to be used for the November 2007 election and elections thereafter. (Elections Department)

ADOPTED

070322 **[Settlement of Claim - Glorina Crisostomo]**

Resolution approving the settlement of the unlitigated claim filed by Ms. Glorina Crisostomo against San Francisco for $30,000; claim was filed on May 16, 2006. (City Attorney)

ADOPTED

070432 **[Appointment - Police Commission]**

Motion confirming the Rules Committee's nomination of, and appointing, Theresa Sparks, term ending April 30, 2011, to the San Francisco Police Commission.

Theresa Sparks, succeeding herself, seat 1, term expiring April 30, 2007, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2011.

APPROVED

070433 **[Appointment - Graffiti Advisory Board]**

Resolution appointing Milo Hanke, Paul Giusti, Deborah Mansfield, and Alexander Mamak, terms ending April 10, 2009, to the Graffiti Advisory Board.

Milo Hanke, new appointment, seat 13, must represent nonprofit organizations who provide services related to the City's beautification and neighborhood cleanup programs, for a two-year term ending April 10, 2009.
Paul Giusti, new appointment, seat 15, must represent business that operates in San Francisco, for a two-year term ending April 10, 2009.
Deborah Mansfield, new appointment, seat 16, must represent private schools or art schools who operate in San Francisco, for a two-year term ending April 10, 2009.
Alexander Mamak, new appointment, seat 17, must represent contracting agency for Municipal Railway shelters, for a two-year term ending April 10, 2009.

ADOPTED

070435 **[Appointment - Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**

Resolution appointing Catherine Smith, Michael Goldstein, Patt Denning, Camilla Norman Field, and Richard Rendon, terms ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses; residency requirement waived.

Catherine Smith, new appointment, seat 3, must be a representative of a medical cannabis dispensary operating in San Francisco, for the unexpired portion of a two-year term ending January 1, 2009.
Michael Goldstein, new appointment, seat 4, must be a civil liberties advocate, for the unexpired portion of a two-year term ending January 1, 2009.
Patt Denning, new appointment, seat 5, must be a harm reduction practitioner, for the unexpired portion of a two-year term ending January 1, 2009.
Camilla Norman Field, new appointment, seat 6, must be a representative of a drug policy reform organization, for the unexpired portion of a two-year term ending January 1, 2009.
Richard Rendon, new appointment, seat 7, must be a representative from any of the following categories: juvenile justice advocate, advocate for homeless persons, resident of public housing, or representative of an organization providing services to or advocating on behalf of residents of public housing in San Francisco., for the unexpired portion of a two-year term ending January 1, 2009.

ADOPTED

070436 **[Appointment - In-Home Supportive Services Public Authority]**

Resolution appointing Patricia Webb, Kelly Dearman, and James Illig, terms ending March 1, 2010, to the In-Home Supportive Services Public Authority.

Patricia Webb, succeeding herself, term expired, seat 2, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2010.
Kelly Dearman, succeeding herself, term expired, seat 6, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2010.
James Illig, succeeding himself, term expired, seat 8, must be a member of the Health Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2010.

ADOPTED

070437 **[Appointment - Child Care Planning and Advisory Council]**

Resolution appointing Heidi McLaughlin, term ending December 31, 2008, to the Child Care Planning and Advisory Council; residency requirement waived.

Heidi McLaughlin, succeeding Helen Lee, term expired, seat 9, must be a nominee of District 9 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of three-year term ending December 31, 2008.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

070254 **[Appropriating $19,884,652 for San Francisco General Hospital, Laguna Honda Hospital and Health Access Program expenditures to the Department of Public Health for Fiscal Year 2006-2007]**
Supervisors Ammiano, Dufty

Ordinance appropriating $19,884,652 of sources, including $9,443,985 of additional San Francisco General Hospital patient revenue, $5,000,000 of San Francisco General Hospital prior year settlements, $3,354,090 of additional Laguna Honda Hospital Medi-Cal revenue and $423,945 of Laguna Honda Hospital Distinct Part Nursing Facility federal funding and de-appropriating $1,662,632 in surplus Mental Health Program salaries and Laguna Honda Hospital Social Security budget; appropriating $19,884,652 of uses, including $12,617,977 in salaries, related fringe, overtime and materials and supplies at San Francisco General Hospital, $5,031,675 in overtime, materials and supplies, and other related expenses at Laguna Honda Hospital, and $2,235,000 for information technology infrastructure costs to implement the Health Access Program; and de-appropriating $741,973 of General Fund sources and uses to reflect prior appropriation for additional funding for HIV/AIDS related services (File No. 070123 and 070127) in the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal impact.)

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

070296 **[Appropriating $4,440,000 of General Fund Reserve funding for County Jail No. 3 Construction Project legal costs]**

Ordinance appropriating $4,440,000 of General Fund Reserve funding for litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office. (Sheriff)

(Fiscal Impact.)

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Jew, Sandoval

070309 [Department of Elections Amendment to Current Voting Systems Contract]
Supervisor Daly

Resolution approving the award and execution of a 17 month amendment to an existing contract by the City and County of San Francisco, through its Department of Elections (Department), with Elections Systems & Software (ES&S), for the provision of voting services and the maintenance of the current voting system.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Jew, Maxwell, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - McGoldrick, Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

070078 [Healthy Products, Healthy Children Ordinance]
Supervisor Alioto-Pier

Ordinance amending the San Francisco Health Code by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to: re-state the ban on toys, child care products, and child feeding products made with certain phthalates; repeal the ban on toys, child care products, and child feeding products made with Bisphenol-A, pending State action; add a new title and findings; provide for implementation and enforcement, including administrative and criminal penalties; and, add disclaimer of liability and severability clauses.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to the regulations concerning Bishenol-A.
Motion to adopt regulations concerning Bishenol-A failed by the following votes:
Noes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto Pier, seconded by Supervisor Dufty, moved to rescind the previous votes.
Motion to rescind the previous votes passed by the following votes:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Motion to adopt regulations concerning Bishenol-A passed by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano,Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Daly
Absent: 1 - Sandoval

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recommendations of the Land Use and Economic Development Committee

061529 [Residential Inclusionary Affordable Housing Requirements]
Supervisors McGoldrick, Maxwell

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to add update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to buildings 120 ft or higher to have lower inclusionary requirements.

Motion to include regulations relating to buildings 120 ft or higher to have lower inclusionary requirements passed by the following votes:
Ayes: 10 - Alioto-Pier, Ammiano,Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070217 [Zoning - Interim moratorium on installation of microcell equipment]
Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Continued to May 22, 2007.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CALLED FROM COMMITTEE

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to June 5, 2007.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

061535 [Planning Code - Adjustment to fee programs]
Supervisor Peskin

Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees for Planning Department services; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070264 [Payment of Fixed Pedestal Permit Fees For Space In Fixed Pedestal Newsracks]
Supervisor Dufty

Ordinance amending Public Works Code Section 184.12(e) to allow applicants for fixed pedestal permit to pay fixed pedestal permit fees within ten business days after the Director's allocation of space in a fixed pedestal newsrack.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070316 [Requiring Board of Supervisors approval of spending plans for specified Proposition 1B funds]
Supervisors Sandoval, Ammiano, Daly, Jew, McGoldrick, Mirkarimi, Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1 to require departments to develop spending plans for the use of any funds received by the City and County under California Government Code Section 8879.23(l), the Local Streets and Road Improvement, Congestion Relief and Traffic Safety Account of 2006, to require departments to obtain approval by the Board of Supervisors of these spending plans prior to appropriation of the funds, to report back to the Board of Supervisors at six-month intervals following appropriation of the funds, and requiring the Controller to conduct an audit of the funds on a biannual basis.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget Committee with Recommendation "Do Not Pass"

070267 [Second Amendment to Master Tournament Agreement between City and PGA Tour, Inc.]
Supervisor Elsbernd

Resolution approving and authorizing a Second Amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments.

Continued to May 1, 2007.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

070039 [Planning Code-Amending Article 11 Designation of 583-587 Howard Street]
Ordinance amending the designation of 583-587 Howard Street from "Unrated—Category V" to "Contributory—Category III" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070045 [Planning Code-Amending Article 11 Designation of 625-631 Pine Street and 635-659 Pine Street]
Supervisor Peskin

Ordinance amending the designation of 625-631 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Public Safety Committee

070271 [Police Staffing at the Airport and Deployment of Personnel to District Stations]
Supervisors Mirkarimi, Dufty, Ammiano

Ordinance adding Section 2A.87 of the San Francisco Administrative Code to: require the Chief of Police and Airport Director to determine staffing needs at the Airport Bureau; require the Chief of Police to create a staffing plan to redeploy sworn Airport Bureau personnel under certain circumstances; and set reporting requirements.

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

Recommendations of the Rules Committee

070370 [Waiving certain fees for Anti-War Rally on March 18, 2007]
Supervisors Ammiano, Daly

Resolution urging the San Francisco Fire Department to retroactively waive, or reimburse, the ANSWER Coalition for fees paid to hold their March 18th Anti-War rally.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070372 [Confirming the appointment of Stephanie Shakofsky to the Port Commission, fulfilling the current term ending May 1, 2010 left vacant due to the passing of Sue Bierman]
Mayor

Resolution confirming the appointment of Stephanie Shakofsky to the Port Commission, fulfilling the current term ending May 1, 2010 left vacant due to the passing of Sue Bierman.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070386 **[Confirming the reappointment of Michael Hardeman to the Port Commission, term ending May 1, 2010]**
Mayor

Resolution confirming the reappointment of Michael Hardeman to the Port Commission, term ending May 1, 2010.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

070323 **[Settlement of Claim - Eun Young Lee]**
Resolution approving the settlement of the unlitigated claim filed by Eun Young Lee against the City and County of San Francisco for payment of $88,493 and reinstatement of paid leave to vacation account; claim was filed on April 3, 2005. (City Attorney)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Sandoval welcomed, introduced, and presented a Certificate of Honor to the family of Tomasa Perez.

COMMITTEE REPORTS

070347 **[Apply for State Re-Use Assistance Grant - Department of Telecommunications and Information Services]**
Mayor

Resolution authorizing the Department of Telecommunications and Information Services to apply for annual grants from the California Integrated Waste Management Board for the purpose of conducting activities leading to an increase of the re-use of materials that might otherwise go into the landfill.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070269 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning May 5, 2007]

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department pertaining to the Saturday road closures; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Dr. Know; expressed concern with issues relating to Police Services
John Rosen; expressed concern with issues relating to various issues
Emily; expressed concern with issues relating to Community Choice Aggregation
Allisa Wasserman; expressed concern with issues relating to Community Choice Aggregation
Charlie Walker; expressed concern with issues relating to minority contracting
Baker Baker; expressed concern with issues relating to city contracting
Erwin Lum; expressed concern with issues relating to Muni
Dane; expressed concern with issues relating to the homeless
Evette Simpson; expressed concern with issues relating to Community Choice Aggregation
Female speakers; expressed concern with issues relating to "Poems Under the Dome"
Males speaker; expressed concern with issues relating to "Poems Under the Dome"
Don Isenberb; expressed concern with issues relating to energy
Helen; expressed concern with issues relating to Community Choice Aggregation
Don Ires; expressed concern with issues relating to Community Choice Aggregation
Eugene Gordon Jr.; expressed concern with issues relating to various issues
Colette Crucker; expressed concern with issues relating to Community Choice Aggregation
Brad Johnson; expressed concern with issues relating to Community Choice Aggregation
Males speaker; expressed concern with various issues
John Hanley; expressed concern with various issues

Supervisor Sandoval and McGoldrick was noted absent at 3:50 p.m.

Supervisor McGoldrick was noted present at 4:15 p.m.

CLOSED SESSION

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070481 **[Closed Session - Potential Litigation involving the Department of Elections voting system contracts]**
Supervisor Elsbernd

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation involving the Department of Elections voting system contracts. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the potential litigation.

The Board recessed at the hour of 4:30 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:55 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin

Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin

John Arntz, Director of ELection
Chad Jacobs, Deputy City Attorney
Cheryl Adams, Deputy City Attorney
Monique Zmuda, Deputy Controller
Kay Gulbengay, Interim Clerk of the Board
Victor Young, Assistant Clerk

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to not disclose. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070469 [CalHome Application]
Supervisor Elsbernd

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

ADOPTED

070470 [Urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.]
Supervisors Dufty, Mirkarimi, Daly

Resolution urging NAVTEQ to correct its driving directions to gain access to the Central Freeway from Market Street.

ADOPTED

070471 [Commending the organizers of the second annual Poem Under the Dome]
Supervisor Mirkarimi

Resolution commending the organizers of the second annual Poem Under the Dome poetry open mic event in City Hall.

ADOPTED

070472 [Opposing SB 893]
Supervisor Mirkarimi

Resolution declaring opposition to Senate Bill 893, state legislation that would shift all Proposition 10 revenue away from First 5 San Francisco County to the statewide California Families and Children's Commission.

ADOPTED

070473 **[Relay For Life Day.]**
Supervisor Peskin

Resolution proclaiming May 1, 2007 as Relay for Life's Paint Our Town Purple Day; and April 28-29 and July 14-15, 2007 as San Francisco Relay for Life Days in San Francisco.

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

Severed From For Adoption Without Reference to Committee

070474 **[Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators]**
Supervisor Peskin

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

Supervisor Jew requested this item be severed so that it might be considered separetly
Supervisor Jew requested that this matter be referred to Committee.
REFERRED.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070422 **[Appropriating $1,003,073 of State reimbursements for additional ballot costs and other current expenses in the Department of Elections for Fiscal Year 2006-2007]**

Ordinance retroactively appropriating $1,003,073 from State mandated prior year election cost reimbursements to fund additional ballot costs related to the November 2006 Election and other current expenses in the Department of Elections for Fiscal Year 2006-2007. (Elections Department)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070423 **[Contract for the purchase of telecommunications services in excess of $10 Million]**

Ordinance approving a contract with AT&T providing for the purchase of a variety of telecommunications services at a cost in excess of $10 million and waiving certain requirements of the Administrative Code with respect to the contract. (Telecommunications and Information Services)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070420 **[Settlement of Lawsuit - Javed Malik]**

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for $30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

4/4/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

070421 **[Department of Building Inspection Annual Report printing]**

Resolution authorizing the Department of Building Inspection, in accordance with Administrative Code Section 1.56, to expend funds to print 50 copies its fiscal year 2005/06 Annual Report and 50 copies of its fiscal year 2006/07 Annual Report. (Building Inspection Department)

4/5/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070424 **[Lease of Real Property at 1212 Market Street]**

Resolution authorizing the lease of 14,472 square feet of space at 1212 Market Street (and also commonly known as 11 Grove Street) for the Department of the Environment. (Real Estate Department)

4/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting convened at 5:17 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES - DRAFT

VOTES

Friday, April 20, 2007 10:00 AM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Special Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin.

Members Absent: Jake McGoldrick, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 10:09 a.m. On the call of the roll Supervisors Maxwell, McGoldrick and Sandoval were noted absent.

There was a quorum.

Supervisors Maxwell was noted present at 10:11 a.m.

CLOSED SESSION

Supervisor Ammiano, seconded by Supervisor Dufty, moved to convene in closed session. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin
Absent: 3 - Maxwell, McGoldrick, Sandoval

070486 **[[Closed Session – Public Employee Appointment – Clerk of the Board, Legislative Administrator and City Clerk]]**
Supervisor Peskin

Motion that the Board of Supervisors convene in closed session to discuss the Public Employee Appointment – Clerk of the Board, Legislative Administrator and City Clerk.

This closed session is permitted by Government Code Section 54957, and the San Francisco Administrative Code Section 67.10 (b)

The Board recessed at the hour of 10:10 a.m. to convene in closed session pursuant to the above motion.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin

Persons in attendance: Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin

Cheryl Adams, Deputy City Attorney
Applicants for the position of Clerk of the Board

Reconvening of the Board

The Board at the hour of 12:17 p.m. reconvened.

Public Comment:

Kimo Crossman
James Chaffee

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending public employment appointment.

Supervisor Mirkarimi, seconded by Supervisor Jew, moved to not disclose. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

070527 **[Appointment of Clerk of the Board]**

Motion appointing Angela Calvillo as the Clerk of the Board pursuant to Charter section 2.117 as of July 1, 2007. (Board of Supervisors)

Supervisor Dufty, seconded by Supervisor Jew, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

ADJOURNMENT

The meeting adjourned at 12:22 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES - DRAFT

Tuesday, April 24, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

VOTES

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval, Tom Ammiano.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

061535 **[Planning Code - Adjustment to fee programs]**
Supervisor Peskin

Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees for Planning Department services; and making environmental findings.

FINALLY PASSED

070264 **[Payment of Fixed Pedestal Permit Fees For Space In Fixed Pedestal Newsracks]**
Supervisor Dufty

Ordinance amending Public Works Code Section 184.12(e) to allow applicants for fixed pedestal permit to pay fixed pedestal permit fees within ten business days after the Director's allocation of space in a fixed pedestal newsrack.

FINALLY PASSED

070316 [Requiring Board of Supervisors approval of spending plans for specified Proposition 1B funds]
Supervisors Sandoval, Ammiano, Daly, Jew, McGoldrick, Mirkarimi, Peskin

Ordinance amending the San Francisco Administrative Code by amending Section 10.170-1 to require departments to develop spending plans for the use of any funds received by the City and County under California Government Code Section 8879.23(l), the Local Streets and Road Improvement, Congestion Relief and Traffic Safety Account of 2006, to require departments to obtain approval by the Board of Supervisors of these spending plans prior to appropriation of the funds, to report back to the Board of Supervisors at six-month intervals following appropriation of the funds, and requiring the Controller to conduct an audit of the funds on a biannual basis.

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

070243 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

TRANSIT LANE, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY- ESTABLISH
Clay Street, south side, between Davis and Drumm Streets (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)

ADOPTED

070244 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2971 21st Street, south side, between the driveways for #2965 - and #2971- 21st Street (establishes three motorcycle parking spaces); and,
Octavia Boulevard, east side, from Linden Street to 14 feet northerly (accommodating 4 motorcycle parking spaces)

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Pine Street, south side, from Polk Street to Larkin Street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM EVERYDAY- RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Clay Street, south side, from Stockton Street to 84 feet westerly.

TOW-AWAY NO STOPPING, 6 AM TO 6 PM EVERYDAY - RESCIND
TOW-AWAY NO STOPPING, 7 AM TO 7 PM, EVERYDAY - ESTABLISH
Sacramento Street, north side, between Powell and Mason Streets

TOW-AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Clay Street, north side, between Davis and Drumm Streets

NO PARKING ANYTIME - ESTABLISH
Clay Street, north side, between Davis Street and 18 feet easterly

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Pennsylvania Avenue, west side, from 20th Street to 127 feet north of 22nd Street (500 and 600 blocks up and including address #672) (legislating existing conditions) (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)

ADOPTED

070312 **[Accept-Expend Federal and State Grants - Municipal Transportation Agency]**
Supervisor Jew

Resolution authorizing the Director of Transportation or his designee to accept and expend a National Highway Traffic Safety Administration/California Office of Traffic Safety grant in the amount of $496,885 for a School Area Bicycle and Pedestrian Safety Project.

ADOPTED

070324 **[Gift of Equipment to Fire Department]**

Resolution authorizing the San Francisco Fire Department to accept a gift of a custom firefighter air system to be installed within the Folsom Street training tower valued at $15,000 from Rescue Air Systems for training, emergency preparedness, high rise safety, and related purposes. (Fire Department)

ADOPTED

070307 [Grant for California Pandemic Influenza Preparedness funds]
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH), Communicable Disease Control and Prevention Section to accept and expend retroactively a new grant in the amount of $133,662, from the Centers for Disease Control and Prevention (CDC) and the California Department of Health Services (CDHS), to fund pandemic influenza emergency preparedness activities and to enter into an agreement with the CDHS for the use of these funds; for the period of August 31, 2006 through August 30, 2007.

ADOPTED

070395 [Contract funds to support participation in an international HIV/AIDS study]

Resolution authorizing the San Francisco Department of Public Health (DPH) – AIDS Office, to enter into an agreement with Blood Systems Research Institute (BSRI) and to retroactively accept and expend funds in the amount of $12,192 for a project entitled Retrovirus Epidemiology Donor Study – II (REDS-II) – International; for the period of January 1, 2007 through April 30, 2007. (Public Health Department)

ADOPTED

070348 [Accept-Expend Federal Grant - SF Department of the Environment]
Mayor, Supervisor Dufty

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant in the amount of $24,365 from the United States Environmental Protection Agency Collaborative Diesel Emission Reduction Program through City College of San Francisco to conduct public outreach and develop training materials to promote "renewable" biodiesel fuel use in San Francisco.

ADOPTED

Recommendations of the Land Use and Economic Development Committee

070039 [Planning Code-Amending Article 11 Designation of 583-587 Howard Street]

Ordinance amending the designation of 583-587 Howard Street from "Unrated—Category V" to "Contributory—Category III" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

FINALLY PASSED

070045 [Planning Code-Amending Article 11 Designation of 625-631 Pine Street and 635-659 Pine Street]
Supervisor Peskin

Ordinance amending the designation of 625-631 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

061529 [Residential Inclusionary Affordable Housing Requirements]
Supervisors McGoldrick, Maxwell

Ordinance approving changes to the Residential Inclusionary Affordable Housing Requirements by amending Section 315 to clarify the regulations in effect for particular projects; amending Section 315.1 to modify certain definitions related to income and sale price calculation; amending Section 315.2 to update findings; amending Section 315.3 to conform the legislation to the requirement that the ordinance apply to all projects of 5 units or more; amending Sections 315.4 and 315.5 to establish separate requirements for buildings of 120 feet in height or greater, to clarify the requirements related to the type of on- and off-site housing required, and to establish a preference in the lottery for on- and off-site units for people who live and work in San Francisco; amending Section 315.6 to provide updated guidelines for the calculation of the in lieu fee and to allow MOH to expend funds for a study to periodically update the fee; amending Section 315.7 to change the amount of time an ownership unit shall remain affordable; amending Section 315.8 to amend certain monitoring and study obligations; making a related change to the Jobs-Housing Linkage Program by amending Section 313.6 to make annual adjustments in the in lieu fee for that program correspond to the method used for the Residential Inclusionary Affordable Housing Program; and making findings, including findings under the California Environmental Quality Act.

11/14/06 -Economic Impact

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to divide the question relating to buildings 120 ft or higher to have lower inclusionary requirements.

Motion to include regulations relating to buildings 120 ft or higher to have lower inclusionary requirements passed by the following votes:
Ayes: 10 - Alioto-Pier, Ammiano,Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 1 - Jew

070269 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning May 5, 2007]
Supervisor McGoldrick

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department pertaining to the Saturday road closures; and making environmental findings.

FINALLY PASSED by the following vote:
Ayes: 9 - Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 2 - Alioto-Pier, Jew

Recommendation of the Public Safety Committee

070271 [Police Staffing at the Airport and Deployment of Personnel to District Stations]
Supervisors Mirkarimi, Dufty, Ammiano

Ordinance adding Section 2A.87 of the San Francisco Administrative Code to: require the Chief of Police and Airport Director to determine staffing needs at the Airport Bureau; require the Chief of Police to create a staffing plan to redeploy sworn Airport Bureau personnel under certain circumstances; and set reporting requirements.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 1 - Jew

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair at 2:33 p.m. so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair at 2:40 p.m.

070407 [Appropriating $28,050,000 of FY 2006-2007 General Fund Balance for Affordable Housing projects, Real Ownership Opportunities for Tenants, and housing services for Fiscal Year 2007-2008]
Supervisors Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating $28,050,000 of General Fund Balance from Fiscal Year 2006-2007, including $20,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are currently homeless or who at risk of being homeless; $5,000,000 to the Mayor's Office of Housing for repairs and services at public housing developments; $2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); $550,000 for the Mayor's Office of Community Development for the acquisition of a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2007-2008 and reserving the funds pending review of expenditure plans by the Finance Committee.

(Fiscal Impact.)

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to amend to reallocate $5,000,000 of the $20,000,000 allocated to the Mayor's Office Housing to the Down Payment Assistance Loan Program.

Motion to amend by reallocating $5,000,000 of the $20,000,000 to Down Payment Assistance Loan Program failed by the following vote:
Ayes: 3 - Alioto-Pier, Elsbernd, Sandoval
Noes: 8 - Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Ammiano
Noes: 4 - Alioto-Pier, Elsbernd, Jew, Sandoval

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to divide the question to appropriate $5,000,000 of FY 2006-2007 General Fund Balance to the Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008 and to consider the matter on May 1, 2007 with the Board sitting as a Committee of the Whole. (See File No. 070555)

Motion to appropriate $5,000,000 of FY 2006-2007 General Fund Balance for the Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008 and consider the matter on May 1, 2007 with the Board sitting as a Committee of the Whole passed by the following vote:
Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Peskin, Sandoval
Noes: 4 - Elsbernd, Jew, McGoldrick, Mirkarimi

Supervisor McGoldrick requested to be as a co-sponsor.

070555 [Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008.]
Supervisor Sandoval

Ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

This matter will be considered at the May 1, 2007 with the Board Sitting as a Committee of the Whole.

070371 [Appropriating $27,376,664 million Tobacco Settlement and Bond Revenue for the Laguna Honda Hospital Replacement Program to the Department of Public Health for Fiscal Year 2006-2007]
Supervisor Elsbernd

Ordinance appropriating $27,376,664 million, including $16,123,659 in Tobacco Settlement Revenue, $2,364,847 in Tobacco Settlement Revenue Interest Earnings, and $8,888,158 in Bond Proceeds to support Laguna Honda Hospital Replacement Program costs to the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 1 - Alioto-Pier

070317 [Appropriating $10,549,123 of current project funding and fund balance to revise the Five-Year Capital Plan in the San Francisco International Airport for Fiscal Year 2006-2007]
Mayor

Ordinance appropriating $10,549,123, including the de-appropriation of $8,547,251 in current project funding and appropriating $2,001,872 of Airport's contingency fund balance, for various San Francisco International Airport (SFIA) capital projects to reflect the updated SFIA Five-Year Capital Plan for Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070408 [Public Employment - Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD)]
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD) staffing by decreasing total staffing by 7.00 FTEs.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070349 **[2007 Finance Corporation Equipment Program]**
Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 14 (Series 2007A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $13,100,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Recommendations of the City Operations and Neighborhood Services Committee

070230 **[Reducing the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour and increasing the speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard from 25 to 30 miles per hour]**

Ordinance amending Section 175.29 of the Traffic Code to lower the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour, and establishing a 30 mile per hour speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070306 **[Landmark tree designation of Coast Live Oak at 20-28 Rosemont Terrace]**
Supervisor Dufty

Ordinance designating the Coast Live Oak at 20-28 Rosemont Terrace (Assessor's Block 3534, Lot 22) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Ordinance designating the Coast Live Oak at 20-26 Rosemont Place (Assessor's Block 3534, Lot 22) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070382 [Landmark tree designation of California buckeye at 730 28th Avenue]
Supervisor McGoldrick

Ordinance designating the California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070384 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2007 in San Francisco]
Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 100 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2007 in San Francisco.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

070232 [STOP Intersections]
Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
Castenada and Magellan Avenues, stopping Magellan Avenue;
Stillings, Detroit and Vista Verde, stopping Detroit Street and Vista Verde Court, making this uncontrolled intersection a two-way STOP;
19th Street and Caselli Avenue, stopping 19th Street, making this uncontrolled intersection a two-way STOP;
Hermann and Webster Streets, stopping Hermann Street, making this intersection an All-Way STOP;
21st and Florida Streets, stopping 21st Street, making this intersection an All-Way STOP.;
Chestnut and Avila Street, stopping Avila Street; and,
Mallorca and Chestnut Street, stopping Mallorca Street. (Parking and Traffic Department)

(2/22/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3317.)

Supervisor Elsbernd requested to be as a co-sponsor.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Recommendation of the Land Use and Economic Development Committee

070327 **[Consent Calendar Procedures - Planning Commission]**
Supervisor McGoldrick

Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair at 3:15 p.m.

The President resumed the Chair at 3:20 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisors Ammiano welcomed, introduced, and presented a Certificate of Honor to the Horizons Unlimited.

Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to Shirley Carper.

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to the members of the American Cancer Society and Relay for Life.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Richard Robinson; expressed concern with issues relating to the homeless
Eugene Gordon Jr.; expressed concern with issues relating to the Police
Male speaker; expressed concern with issues relating to the Police, Marconi Case
John Di Donna; expressed concern with various issues
Richard Robinson; expressed concern with issues relating to the homeless
Mr. Sanderford; expressed concern with issues relating to the homeless
Male speaker, expressed concern with issues relating to track meet at Keasar Stadium
Mr. Harbor; expressed concern with issues relating to the Police

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070510 [Small Business Week - May 5 to May 11, 2007]
Supervisors Elsbernd, Alioto-Pier, Jew

Resolution proclaiming May 5, 2007 to May 11, 2007 Small Business Week in San Francisco.

Supervisor Jew requested to be added as a co-sponsor.
ADOPTED

070511 [Expanding household hazardous waste programs, and supporting AB 1109]
Supervisor Sandoval

Resolution urging the Department of the Environment to increase the number of outlets in San Francisco that accept various types of household hazardous waste and universal waste, and urging San Francisco retailers, including the new Home Depot, to serve as drop off sites, and to support AB1109, which holds manufacturers responsible for the collection and recycling of these products at the end of their useful life.

ADOPTED

070512 [Proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco]
Supervisors Sandoval, Elsbernd, Mirkarimi

Resolution proclaiming May 1, 2007 as Immigrant Workers Day in San Francisco.

Supervisors Elsbernd and Mirkarimi requested to be as a co-sponsors.
ADOPTED

070514 [Grant to fund a project through Department of Public Health, HIV Epidemiology Section]
Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (DPH-AIDS Office), to accept and expend a grant in the amount of $20,030 from the Medical School University of Zagreb, Croatia, for the Time Location Sampling Training Module; for the period of July 1, 2007, through October 31, 2007.

ADOPTED

070515 [Supporting chemical testing and ingredient disclosure in cosmetic products, and endorsing SB 578]
Supervisor Maxwell

Resolution urging San Francisco's State delegation to support efforts requiring testing and ingredient disclosure in cosmetic products, and to support SB 578, which requires manufacturers to disclose chemical ingredients in products as well as the health risks associated with these chemicals.

ADOPTED

070516 **[Armenian Genocide Commemoration Day - April 24, 2007]**
Supervisors Peskin, Elsbernd, Mirkarimi

Resolution declaring April 24, 2007 as Armenian Genocide Commemoration Day in San Francisco.

Supervisors Elsbernd and Mirkarimi requested to be as a co-sponsors.

ADOPTED

070517 **[Extending review time for landmark tree designation at 730 28th Avenue]**
Supervisor McGoldrick

Resolution extending the landmark tree designation review period for a California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) for an additional 90 days in accordance with Public Works Code Section 810(d) and requesting other official acts in connection with this extension.

ADOPTED

070518 **[Accept-Expend Private Foundation Grant - District Attorney]**
Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $25,000 through the Blue Shield of California Foundation, for a project entitled "Planning Grant for Comprehensive Services to Children Who Witness Violence for the period March 1, 2007 to December 1, 2007.

ADOPTED

070519 **[Plug-in hybrid pilot project]**
Supervisor Daly

Resolution urging the Department of the Environment to develop a pilot project to determine the viability of plug-in hybrid electric vehicles in San Francisco, as part of the municipal vehicle fleet.

ADOPTED

070520 **[Extending Western SoMa Citizens Planning Task Force]**
Supervisor Daly

Resolution extending the life and operation of Western SoMa Citizens Planning Task Force.

ADOPTED

070413 **[Final Map - 3165 Mission Street]**
Motion approving Final Map 3428, an Eight Unit Mixed-Use Condominium Project, located at 3165 Mission Street being a merger and resubdivision of Lots 14 and 15 in Assessors Block No. 5518 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070521 **[Final Map - 1160 Mission Street]**
Motion approving Final Map 3849, a 246 Unit Residential Mixed-Use Condominium Project, located at 1160 Mission Street being a subdivision of Lots 37, 38 and 56 in Assessors Block No. 3702 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070522 **[Final Map - 490 Post Street]]**

Motion approving Final Map 3766, a 130 Unit Commercial Condominium Project, located at 490 Post Street being a subdivision of Lot 10 in Assessors Block No. 0296 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070523 **[Final Map - 542 Brannan Street]**

Motion approving Final Map 2585, a 36 Unit Live-Work Condominium Project, located at 542 Brannan Street being a subdivision of Lot 72 in Assessors Block No. 3777 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

070524 **[Final Map - 530 Brannan Street]**

Motion approving Final Map 2592, a 32 Unit Live-Work Condominium Project, located at 530 Brannan Street being a subdivision of Lot 71 in Assessors Block No. 3777 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

Severed from For Adoption Without Committee Reference

070513 **[Urging the California State Legislature to repeal Section 1569-147 of the Health and Safety Code]**
Supervisor Ammiano

Resolution urging the California State Legislature to repeal Section 1569-147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

Supervisor Jew requested this item be severed so that it might be considered separately
Supervisor Jew requested that this matter be referred to Committee.
REFERRED.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070482 **[Settlement of Lawsuit - Carl Montgomery]**

Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for $30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032; entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

4/11/07, RECEIVED AND ASSIGNED to Rules Committee.

070488 **[Appropriating $2,345,549 for the Juvenile Hall Youth Guidance Center Replacement Project in the Department of Public Works for Fiscal Year 2006-2007]**

Ordinance appropriating $2,345,549, of which $1,077,589 is from Juvenile Hall Youth Guidance Center Replacement Project Certificates of Participation (COPs) interest earned, $847,960 is from the Reserve for Rainy Day – One-time Spending Account, and $420,000 is from a deappropriation of the Youth Guidance Center facilities maintenance project, to fund Juvenile Hall Youth Guidance Center Replacement Project construction costs in the Department of Public Works for Fiscal Year 2006-2007. (Public Works Department)

4/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

070483 **[Lease of Real Property at the southwest corner of 13th Street and South Van Ness Avenue]**

Resolution authorizing the lease of a parking lot, containing approximately 78,005 square feet, located at the southwest corner of 13th Street and South Van Ness Avenue. (Real Estate Department)

4/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

ADJOURNMENT

The meeting adjourned at 4:02 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, May 1, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Maxwell was noted absent.

There was a quorum.

Supervisor Maxwell was noted present at 2:32 p.m.

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

Supervisor Peskin introduced, welcomed, and presented a Certificate of Honor to Pierre Amondji, Governor and Mayor of Abidjan Cote D'Ivoire, Africa, sister city to San Francisco.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070317 **[Appropriating $10,549,123 of current project funding and fund balance to revise the Five-Year Capital Plan in the San Francisco International Airport for Fiscal Year 2006-2007]**
Mayor

Ordinance appropriating $10,549,123, including the de-appropriation of $8,547,251 in current project funding and appropriating $2,001,872 of Airport's contingency fund balance, for various San Francisco International Airport (SFIA) capital projects to reflect the updated SFIA Five-Year Capital Plan for Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal Impact.)

FINALLY PASSED

070408 [Public Employment - Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD)]
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD) staffing by decreasing total staffing by 7.00 FTEs.

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

070230 [Reducing the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour and increasing the speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard from 25 to 30 miles per hour]

Ordinance amending Section 175.29 of the Traffic Code to lower the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour, and establishing a 30 mile per hour speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard.

FINALLY PASSED

070382 [Landmark tree designation of California buckeye at 730 28th Avenue]
Supervisor McGoldrick

Ordinance designating the California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

FINALLY PASSED

070384 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2007 in San Francisco]
Supervisor Peskin

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 100 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2007 in San Francisco.

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

070327 [Consent Calendar Procedures - Planning Commission]
Supervisor McGoldrick

Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)

FINALLY PASSED

Recommendation of the Public Safety Committee

070453 **[Grant to support the Hospital Preparedness Program through the San Francisco Department of Public Health]**

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of $448,967 from the California Department of Health Services, Emergency Preparedness Office, for year 5 of the Hospital Preparedness Program, for the period of September 1, 2006, through August 31, 2007.

ADOPTED

Recommendations of the Rules Committee

070418 **[Settlement of Lawsuit - Andrew Marconi]**

Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi against the City and County of San Francisco for $82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978 CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

070420 **[Settlement of Lawsuit - Javed Malik]**

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for $30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

070434 **[Appointment - Urban Forestry Council]**

Resolution appointing Bonnie Ora Sherk, Carolyn Blair, Kelly Quirke, Milton Marks, Jocelyn Cohen, and Lena Miller, terms ending April 5, 2009, to the Urban Forestry Council.

Bonnie Ora Sherk, succeeding herself, term expired, seat 2, must be a representative of the tree management profession (International Society of Arboriculture, American Society of Landscape Architects, etc.), for a two year-term ending April 5, 2009.
Carolyn Blair, succeeding herself, term expired, seat 3, must be from non-profit organization involved in urban forestry or other environmentally-related issues, for a two year-term ending April 5, 2009.
Kelly Quirke, succeeding himself, term expired, seat 4, must be from non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2009.
Milton Marks, succeeding himself, term expired, seat 6, must be an at-large member, for a two year-term ending April 5, 2009.
Jocelyn Cohen, succeeding herself, term expired, seat 7, must be an at-large member, for a two-year term ending April 5, 2009.
Lena Miller, succeeding herself, term expired, seat 8, must be an at-large member, for a two-year term ending April 5, 2009.

ADOPTED

070438 **[Appointment - Commission on the Aging Advisory Council]**

Resolution appointing Mary Higgins and Anna Maria Pierini, terms ending March 31, 2008, to the Commission on the Aging Advisory Council; residency requirement waived.

Mary Higgins, succeeding Marylouise Lovett, term expired, seat 3, must be a nominee of District 10 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008.
Anna Maria Pierini, succeeding Jessica Bay, term expired, seat 4, must be a nominee of District 3 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008.

ADOPTED

070478 **[Appointment - Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**

Resolution appointing Mira Ingram, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Mira Ingram, new appointment, seat 1, must be a medical cannabis patient, for the unexpired portion of a two-year term ending January 1, 2009.

ADOPTED

070480 **[Appointment - Mental Health Board]**

Resolution appointing Tom Purvis and Rebecca Turner, terms ending January 31, 2010, to the Mental Health Board.

Tom Purvis, succeeding himself, term expired, seat 14, must be a family member, for the unexpired portion of a three-year term ending January 31, 2010.
Rebecca Turner, succeeding herself, term expired, seat 15, must be a health professional, for the unexpired portion of a three-year term ending January 31, 2010.

ADOPTED

070484 **[Appointment - Surplus Property Citizens' Advisory Committee]**

Resolution appointing Jed Lane, term ending January 18, 2009, to the Surplus Property Citizens' Advisory Committee.

Jed Lane, succeeding Richard Lee, term expired, Seat 3, must hold a Real Estate and/or Broker's license, for the unexpired portion of a two-year term ending January 18, 2009.

ADOPTED

070479 **[Appointment - Graffiti Advisory Board]**

Resolution appointing Michael Cashion, term ending April 10, 2009, to the Graffiti Advisory Board.

Michael Cashion, new appointment, seat 14, must represent business that operates in San Francisco and be a property owner, for a two-year term ending April 10, 2009.

ADOPTED

PASS THE CONSENT AGENDA by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee with Recommendation "Do Not Pass"

070267 **[Second Amendment to Master Tournament Agreement between City and PGA Tour, Inc.]**
Supervisor Elsbernd

Resolution approving and authorizing a Second Amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Absent: 1 - Maxwell

Recommendations of the Budget and Finance Committee

070407 **[Appropriating $28,050,000 of FY 2006-2007 General Fund Balance for Affordable Housing projects, Real Ownership Opportunities for Tenants, and housing services for Fiscal Year 2007-2008]**
Supervisors Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating $28,050,000 of General Fund Balance from Fiscal Year 2006-2007, including $20,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are currently homeless or who at risk of being homeless; $5,000,000 to the Mayor's Office of Housing for repairs and services at public housing developments; $2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); $550,000 for the Mayor's Office of Community Development for the acquisition of a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2007-2008 and reserving the funds pending review of expenditure plans by the Finance Committee.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

070371 [Appropriating $27,376,664 million Tobacco Settlement and Bond Revenue for the Laguna Honda Hospital Replacement Program to the Department of Public Health for Fiscal Year 2006-2007]
Supervisor Elsbernd

Ordinance appropriating $27,376,664 million, including $16,123,659 in Tobacco Settlement Revenue, $2,364,847 in Tobacco Settlement Revenue Interest Earnings, and $8,888,158 in Bond Proceeds to support Laguna Honda Hospital Replacement Program costs to the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

Recommendation of the City Operations and Neighborhood Services Committee

070306 [Landmark tree designation of Coast Live Oak at 20-26 Rosemont Place]
Supervisor Dufty

Ordinance designating the Coast Live Oak at 20-26 Rosemont Place (Assessor's Block 3534, Lot 22) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070335 [Approving an Amendment to the Rincon Point-South Beach Redevelopment Plan to Extend the Redevelopment Agency's Time for Repaying Debt]
Supervisor Daly

Ordinance approving an amendment to the Rincon Point-South Beach Redevelopment Plan to extend the time for the San Francisco Redevelopment Agency's receipt of tax increment and to suspend both the limit on the total indebtedness outstanding at any one time and the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070450 **[Appropriating $31,750,000 of Airport Operating Fund Balance for a potential interest rate swap termination payment for the San Francisco International Airport Fiscal Year 2006-2007]**
Mayor

Ordinance appropriating $31,750,000 of San Francisco International Airport Operating Fund Balance to provide appropriations for a potential interest rate swap termination payment as part of the Airport's ongoing debt management program for Fiscal Year 2006-2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070313 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,887,113 of federal Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070360 **[Board of Supervisors Resolution re Refunding Bond and Swaps Authorization]**
Resolution approving the issuance of up to $1,400,000,000 aggregate principal amount of San Francisco International Airport second series revenue refunding bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; Approving the maximum interest rate, notional amount and term of certain interest rate swap transactions in connection with such refunding bonds; Approving Assured Guaranty Corp. and CIFG Assurance North America, Inc. as providers of reserve fund surety bonds and the forms of reimbursement agreement relating thereto; and approving certain related matters. (Airport Commission)

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070396 **[Lease of Real Property at 1145 Market Street]**
Resolution authorizing extension and amendment of a lease of real property at 1145 Market Street for the Health Service System. (Real Estate Department)

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070417 [Issuance and sale of tax-exempt bonds - Drew School.]
Supervisor Alioto-Pier

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $11,000,000 to finance and/or refinance various capital facilities owned by Drew School or an affiliate.

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070465 [Contract with nonprofit Owners' Association for administration of Fillmore Jazz Community Benefit District]
Supervisor Mirkarimi

Resolution approving an agreement with the nonprofit Owners' Association "Fillmore Jazz District Community Association of San Francisco" for administration of the property-based business improvement district known as the "Fillmore Jazz Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

070079 [Approving Nonprofit Performing Arts Loan Program Rules and Regulations]
Supervisor Ammiano

Resolution approving Rules and Regulations for the Nonprofit Performing Arts Loan Program.

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070138 [Public Information Officer Conduct Standards]
Supervisor Peskin

Resolution establishing standards for the conduct of the City's Public Information Officers.

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

070556 **[Hearing - Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008]**

Hearing to consider the ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers: Jane Vaugh; M. Swartz; Luis Corado; Ed Donaldson; Alex Samasi; Joyce Lamaga.

Christian Martin, Budget Analyst's Office.
Matthew Franklin, Mayor's Office of Housing.
Mira Belvar, Mayor's Office of Housing.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

070555 **[Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008.]**
Supervisors Sandoval, Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Alioto-Pier, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to Dr. Mario Mormorunni.

Supervisors Mirkarimi and Sandoval welcomed, introduced, and presented Certificates of Honor to Dimitri Peterman and Teresa Fisher.

Supervisor Sandoval welcomed, introduced, and presented a Certificate of Honor to the organizers of the May Day March.

Supervisor Mirkarimi welcomed, introduced, and presented Certificates of Honor to citizens from Dar Far in recognition of their fight against genocide.

COMMITTEE REPORTS

070462 **[Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]**

Supervisor Elsbernd

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 5, 2007 as part of Small Business Week.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Eugene Gordon Jr.; expressed concern with various issues
Robin Croft; expressed concern with issues relating to disease prevention
Peter Warfield; expressed concern with issues relating to the library
Mike Petrelis; expressed concern with issues relating to the Department of Public Health
Male speakers; expressed concern with issues relating to public comment

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

070537 **[Legislative Analyst Request - Police programs]**

Supervisor Dufty

Motion requesting the Legislative Analyst to identify the practices, outcomes, and requirements of successful police programs that trace firearms in order to identify patterns of illegal gun trafficking and discover persons associated with the crime under investigation.

APPROVED by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070548 **[Commending Horizons Unlimited for over forty years of outstanding work]**
Supervisor Ammiano

Resolution commending Horizons Unlimited for over forty years of outstanding community work.

ADOPTED

070549 **[Urging the California State Legislature to Oppose AB 815]**
Supervisor Ammiano

Resolution urging the California State Legislature to oppose AB 815, which proposes to take crucial animal control and welfare issues out of the jurisdiction of municipalities.

ADOPTED

070550 **[Supporting AB 1358, the California Complete Streets Act of 2007]**
Supervisor Ammiano

Resolution supporting AB 1358, the California Complete Streets Act of 2007.

ADOPTED

070551 **[Gift to City of Travel from Chamber of Commerce for 2007 CityTrip]**
Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

ADOPTED

070552 **[Accept-Expend State Grant - Mayor's Office of Criminal Justice]**
Supervisor Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $99,833 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

ADOPTED

070553 **[Urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School]**
Supervisor Sandoval

Resolution urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School.

ADOPTED

070547 **[Board of Supervisors to sit as a Committee of the Whole on May 8, 2007, at 3:30 PM]**
Supervisor Ammiano

Motion requesting the Board of Supervisors to sit as a Committee of the Whole on May 8, 2007 at 3:30 PM for the purpose of hearing a status report on the Health Access Plan (HAP) from the Department of Public Health (DPH) and the Office of Labor Standards Enforcement (OLSE).

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved to approve Serious Injury Findings. The motion carried by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070571 **[Concurring in Declaration of Emergency]**
Mayor, Supervisor Peskin

Motion concurring in the April 30, 2007 Declaration of Local Emergency by the Mayor, and in the actions taken to meet the emergency.

APPROVED by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070572 **[Asian Pacific American Heritage Month]**
Supervisor Jew

Resolution recognizing May 2007 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070509 **[Settlement of Government Claim - San Francisco Forty Niners, Ltd.]**

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

4/23/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

070529 [Gift of Equipment to Fire Department]

Resolution authorizing the San Francisco Fire Department to accept a gift of a 1988 GMC flatbed truck with a lift hoist valued at $14,779 from the Pacific Gas and Electric Company for emergency preparedness, training, public safety and related purposes. (Fire Department)

4/20/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED MOTIONS

ADJOURNMENT

4:30 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, May 8, 2007 2:00 PM

DOCUMENTS DEPT.

MAY 10 2007

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Maxwell and McGoldrick were noted absent.

There was a quorum.

Supervisor Maxwell was noted present at 2:32 p.m.
Supervisor McGoldrick was excused. (See Infra)

Supervisor McGoldrick Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to excuse Supervisor McGoldrick. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Ammiano, moved to approve the Board Meeting Minutes of April 10, 2007 and the Special Board of Supervisors Meeting Minutes of April 11, 2007. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Representatives from the New Tenderloin addressed the Board members and expressed concern with the increase of violence in the Tenderloin.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

070450 [Appropriating $31,750,000 of Airport Operating Fund Balance for a potential interest rate swap termination payment for the San Francisco International Airport Fiscal Year 2006-2007]
Mayor

Ordinance appropriating $31,750,000 of San Francisco International Airport Operating Fund Balance to provide appropriations for a potential interest rate swap termination payment as part of the Airport's ongoing debt management program for Fiscal Year 2006-2007.

(Fiscal Impact.)

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

070462 [Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]
Supervisor Elsbernd

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 5, 2007 as part of Small Business Week.

FINALLY PASSED

061236 [Liquor License Transfer, 81 Langton Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 145 Jackson Street to 81 Langton Street, Suite 2, and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Luc Ertoran for Terroir SF, LLC dba Terroir, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED

Recommendations of the Land Use and Economic Development Committee

070390 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
40th Avenue at Geary Boulevard, establishing an All-Way STOP control intersection; and,
Anza Vista Avenue at Baker Street, stopping the stem of this T-intersection. (Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

ADOPTED

070391 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURNS, 7 AM TO 7 PM EVERYDAY - ESTABLISH
5th Street, southbound, onto Mission Street.

CROSSWALK CLOSURE - ESTABLISH
Sagamore Street at San Jose Avenue (Closing the easternmost crosswalk as part of a plan to signalize the existing crosswalk crossing Sagamore Street at Plymouth Avenue. The westernmost crosswalk will remain). (Parking and Traffic Department)

(3/15/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

ADOPTED

Recommendations of the Rules Committee

070418 **[Settlement of Lawsuit - Andrew Marconi]**

Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi against the City and County of San Francisco for $82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978 CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

070420 **[Settlement of Lawsuit - Javed Malik]**

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for $30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Committee of the Whole Adjourn and Report Without Recommendation

070555 [Appropriating $5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal Year 2007-2008.]
Supervisors Sandoval, Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating $5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Jew
Excused: 1 - McGoldrick

Recommendation of the Budget and Finance Committee

070335 [Approving an Amendment to the Rincon Point-South Beach Redevelopment Plan to Extend the Redevelopment Agency's Time for Repaying Debt]
Supervisor Daly

Ordinance approving an amendment to the Rincon Point-South Beach Redevelopment Plan to extend the time for the San Francisco Redevelopment Agency's receipt of tax increment and to suspend both the limit on the total indebtedness outstanding at any one time and the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070458 **[Appropriating $35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007]**
Supervisor Dufty

Ordinance appropriating $35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070325 **[Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]**
Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070451 **[Public Employment - Department of Economic and Workforce Development]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

Supervisor Elsbernd dissented in committee.

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - McGoldrick

070326 **[Reprogramming of $789,715 from SFGH's equipment budget to purchase a Materials and Supplies Inventory and Purchasing System Upgrade]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram $789,715 in funding budgeted at San Francisco General Hospital (SFGH) for medical equipment to purchase a Materials and Supplies Inventory and Purchasing System Upgrade in FY 2006-07. (Public Health Department)

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070358 [Extending to October 1, 2007 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at former Naval Station Treasure Island]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement retroactively from September 30, 2006 to October 1, 2007. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070359 [Approving a Memorandum of Understanding between the Treasure Island Development Authority and the City and County of San Francisco relating to staffing and oversight of the Treasure Island Project Office]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Memorandum of Understanding appointing the City and County of San Francisco, acting by and through the Office of the City Administrator, as its agent to provide services to carry out the day-to-day operations of the Treasure Island Development Authority and to provide oversight to the Treasure Island Project Office for the term beginning retroactively on July 1, 2006. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

070332 [Zoning - Interim Moratorium on Single Room Occupancy developments in Western SoMa Service/Light Industrial zones]

Supervisor Daly

Urgency Ordinance approving an interim zoning moratorium on Single Room Occupancy (SRO) developments in Western South of Market (SoMa) Service/Light Industrial (SLI) zones for 45 days and making required findings, including environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Excused: 1 - McGoldrick

070333 [Interim Zoning Requiring Conditional Use on Single Room Occupancy developments in the Western South of Market Special Use District]

Supervisor Daly

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Single Room Occupancy (SRO) developments in the Western South of Market (SoMa) Special Use District (SUD) for an eighteen (18) month period and making required findings, including environmental findings, and a determination of consistency with the priority policies of Planning Code Section 101.1.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew
Excused: 1 - McGoldrick

070392 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Geary Boulevard, north side, from Scott Street to 162 feet west of Divisadero Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
2921 Washington Street, south side, between the driveways in front of the main entrance to create four motorcycle parking spaces.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Dorado Terrace, west side, in front of #41 Dorado Terrace to #79 Dorado Terrace; and,
Dorado Terrace, east side, from #312 to #224 Dorado Terrace (to legalize existing conditions)

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Indiana Street, both sides, between Cesar Chavez and Marin Streets (1600 block);
and,
Indiana Street, west side, between Marin and Tulare Streets (1700 block).

PARKING METERS (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Castro Street, east side, from Jersey Street to 48 feet southerly (four parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lisbon Street, west side, from Avalon Avenue to 20 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Lisbon Street, east side, from Avalon Avenue to 20 feet southerly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY -ESTABLISH
115 Wisconsin Street, east side, from 16th Street to 44 feet southerly (44 foot space, approximately two parking spaces).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Sansome Street, west side, from Washington Street to Broadway.

TOW-AWAY, NO STOPPING ANYTIME - EXTEND
Junipero Serra Boulevard, east side, from 208 feet to 268 feet south of Monterey Boulevard at St. Francis Circle to facillitate an extension of the double northbound left turn lane (60-foot extension). (Parking and Traffic Department)

(3/15/07: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3327.)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER

Board of Supervisors Sitting as a Committee of the Whole

CALLED FROM COMMITTEE

070401 **[San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies]**
Supervisor Daly

Hearing to explore San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies--Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Conservation and Development Commission, and Bay Area Air Quality Management District.

Continued to May 15, 2007.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

RECESS

The Board recessed at the hour of 3:08 p.m.

Reconvening of the Board

The Board at the hour of 3:34 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin - 8

Supervisor McGoldrick was previously excused.
Supervisor Dufty was noted present at 3:43 p.m.

There was a quorum.

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair.

The President resumed the Chair shortly thereafter.

SPECIAL ORDER 3:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

070554 [Status Report on Health Access Plan]
Supervisor Ammiano

Hearing to consider a status report on the Health Access Plan from the Department of Public Health and the Office of Labor Standards Enforcement.

The President inquired as to whether or not any member of the public wished to address the Board.

Department Representatives:
Dr. Mitch Katz, Director, Department of Public Health
Donna Levitt, Office of Labor Standards Enforcement
Joanie Chan, Office of Labor Standards Enforcement
Deputy Director, Department of Public Health

Public Comment. Speakers: Dr. Dick Hodson; Dr. Sim-Chi; Douglas Yip; Silvia Johnson

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Maxwell welcomed, introduced, and presented a Certificate of Honor to Chris Iglesias and other staff members of CitiBuild.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library
Eric Olison; expressed concern with issues relating to MUNI
Peter Warfield; expressed concern with issues relating to the SF Public Library
Abdullah Megaheed; expressed concern with issues relating to the homeless
Eugene Gordon Jr.; expressed concern with various issues
Bruce Windrum; expressed concern with issues relating to violence and drugs
John Di Donna; expressed concern with various issues
Speaker; expressed concern with various issues
Male speaker; expressed concern issues relating to Golden Gate Park
Silvia Johnson; expressed concern with issues relating to water supplies
Dr. Porter-Chi; expressed concern with issues relating to the toxic environment at Hunter's Point
Ross; expressed concern with issues relating to Gay Games

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070592 **[Urging Congress to Amend the Comprehensive Smoking Education Act of 1984]**
Supervisor Daly

Resolution urging U.S. Congressional Representatives to amend the Comprehensive Smoking Education Act of 1984 (Public Law 98-474) and require picture-based warning labels.

ADOPTED

070594 **[Commending California Victory]**
Supervisors Mirkarimi, Sandoval

Resolution commending California Victory for its community spirit and the formation of the new San Francisco United Soccer League's Division One Team.

ADOPTED

070595 **[State Budget Augmentation for Adult Protective Services Program]**
Mayor

Resolution urging the State Legislature to appropriate $20 million in additional funding for the Adult Protective Services Program, on an annual basis, beginning in fiscal year 2007-2008.

ADOPTED

070596 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Elsbernd

Resolution authorizing the Municipal Transportation Agency to accept and expend $86,520 in federal Section 5303 Technical Study funding to develop and produce the FY 2008 Short Range Transit Plan.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed from For Adoption Without Committee Reference

Supervisor Alioto-Pier requested this item be severed so that it might be considered separately.
Supervisor Alioto-Pier requested that this matter be referred to Committee.

070593 **[SRO Voter Education and Registration]**
Supervisor Mirkarimi

Resolution urging increased voter education and registration outreach to SRO residents by the Department of Elections and urging SRO managers and owners to facilitate access for these purposes.

Supervisor Alioto-Pier requested that this matter be referred to Committee.
REFERRED.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Jew, moved to approve the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

070602 **[High Speed Rail]**
Supervisors Ammiano, Jew

Resolution in support of a High Speed Rail Line between San Francisco and Los Angeles.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070558 **[Settlement of Lawsuit - A. Ruiz Construction & Associates, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against A. Ruiz Construction & Associates, Inc. for $200,000; the lawsuit was filed on January 28, 2005 in San Francisco Superior Court, Case No. 438-235; entitled City and County of San Francisco, et al. v. A. Ruiz Construction & Associates, et al. (City Attorney)

4/24/07, RECEIVED AND ASSIGNED to Rules Committee.

070559 **[Settlement of Lawsuit - Proven Management, Inc.]**

Ordinance authorizing settlement of the lawsuits filed by: (1) the City and County of San Francisco ("the "City") against Proven Management, Inc. ("Proven") on August 01, 2005, in San Francisco Superior Court Case No. CGC 05-443632, entitled, City and County of San Francisco et. al. v. Proven Management, Inc. et. al., and (2) Proven against the City on December 15, 2005, in Tuolumne County Superior Court Case No. 51778, entitled, Proven Management, Inc. v. City and County of San Francisco et. al., with (a) Proven paying the City: $250,000 in damages; reimbursing the City up to $450,000 to administer corrective work; and Proven replacing valve assemblies and correcting numerous items of work on the Baden Pumps Station Project; and completing its contract; and (b) the City increasing Proven's contract amount on the Priest Bypass Project by $700,000 and releasing all contract balances. (City Attorney)

4/24/07, RECEIVED AND ASSIGNED to Rules Committee.

070606 **[Appropriating $213,000 of Juvenile Probation Title IV-E Funds for Overtime Related to Increased Juvenile Hall Population to the Juvenile Probation Department for Fiscal Year 2006-2007]**
Ordinance appropriating $213,000 of Juvenile Probation Title IV-E (Foster Care) funds for additional overtime costs related to an increase in the Juvenile Hall population to the Juvenile Probation Department for Fiscal Year 2006-2007. (Juvenile Probation Department)

PROPOSED RESOLUTIONS

070564 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME – ESTABLISH
Eucalyptus Drive, south side, from the Junipero Serra Boulevard Service Road to 33 feet westerly.

TOW-AWAY, NO PARKING ANYTIME – ESTABLISH
Vicente Street, south side, from Portola Drive to 49 feet westerly; and,
Raccoon Drive, both sides, between Twin Peaks Boulevard and Crown Court. (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)
4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070569 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
18th Street at Illinois Street, stopping the stem of this T-intersection;
Piedmont Street at Masonic Avenue, stopping Piedmont Street, making this T-intersection an All-Way STOP;
Noriega and 21st Avenue, stopping Noriega Street, making this intersection an All-Way STOP;
Detroit Street and Staples Avenue, stopping Detroit Street, making this intersection an All-Way STOP; and,
Lisbon Street and Silver Avenue, making this T-intersection an All-Way STOP.

STOP SIGNS - RESCIND
Craut Street and Silver Avenue intersection (rescind the 3-Way Stop);
Craut Street and Maynard Street (rescind the southbound Craut Street STOP); and,
Craut Street and Ney Street (rescind the southbound Ney Street STOP). (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)
4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070570 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (NORTHBOUND) - ESTABLISH
Craut Street, between Silver Avenue and Trumbull Street (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)
4/26/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED MOTIONS

ADJOURNMENT

The meeting adjourned at 4:35 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, May 15, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

SF
S90
#09
5/15/07

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

DOCUMENTS DEPT.

MAY 17 2007

SAN FRANCISCO
PUBLIC LIBRARY

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Jew, moved to approve the Board Meeting Minutes of April 17, 2007. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070458 [Appropriating $35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007]
Supervisor Dufty

Ordinance appropriating $35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

FINALLY PASSED

070325 **[Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]**

Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

FINALLY PASSED

Recommendations of the Rules Committee

070482 **[Settlement of Lawsuit - Carl Montgomery]**

Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for $30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032; entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

070509 **[Settlement of Government Claim - San Francisco Forty Niners, Ltd.]**

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

PASSED, ON FIRST READING

070485 **[Appointment - Pedestrian Safety Advisory Committee]**

Resolution appointing Catherine Liddell and William Riggs, terms ending March 28, 2008, and Pi Ra, term ending March 28, 2009, to the Pedestrian Safety Advisory Committee.

Catherine Liddell, succeeding Cheryl Brinkman, term expired, seat 1, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2008.
Pi Ra, succeeding Anna Zacher, term expired, seat 2, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2009.
William Riggs, succeeding Brian Canevari, resigned, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2008.

ADOPTED

070567 [Appointment - Commission of Animal Control and Welfare]

Resolution appointing Philip Gerrie, Dr. Pam Hemphill, Sally Stephens, and Andrea Brooks, terms ending April 30, 2009, to the Commission of Animal Control and Welfare.

Philip Gerrie, succeeding Gerald Yeager, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.
Dr. Pam Hemphill, succeeding William Hamilton, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.
Sally Stephens, succeeding Sherri Franklin, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.
Andrea Brooks, succeeding Richard Schulke, term expired, seat 6, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

ADOPTED

070568 [Appointment - Children and Families First Commission]

Resolution appointing Nancy Lim-Yee, Suzanne Giraudo, and Dr. Shannon Thyne, terms ending April 29, 2011, to the Children and Families First Commission; residency requirement waived.

Nancy Lim-Yee (residency requirement waived), succeeding Raymond Weisberg, term expired, seat 6, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011.
Suzanne Giraudo, succeeding Cheryl Polk, term expired, seat 7, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011.
Dr. Shannon Thyne, succeeding Lucy Crain, term expired, seat 9, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

070451 **[Public Employment - Department of Economic and Workforce Development]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

(Supervisor Elsbernd dissented in committee.)

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070456 **[Public Employment and Accept-Expend Grant - HIV/AIDS Statistics and Epidemiology]**
Supervisors Dufty, Ammiano

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1 positions (.125 FTE) in the Department of Public Health (DPH) – AIDS Office, and authorizing DPH to retroactively accept and expend a grant in the amount of $373,619 from the Department of Health and Human Services, National Institutes of Health and to approve three contracts with the following agencies: ISIS Inc., The University of Pittsburgh, and PHFE Management Solutions for the period of January 1, 2007 through December 31, 2007.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070346 [Use of Rincon Hill In Lieu Fees]
Supervisor Daly

Resolution approving a plan submitted by the Mayor's Office of Housing for the use of in lieu fee payments imposed on residential development in the Rincon Hill Area and approving the expenditure of those funds pursuant to Section 827(b)(5)(E) of the Planning Code.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070385 [Approval of an historical property contract for 1080 Haight Street ("John C. Spencer House")]
Supervisors Peskin, Mirkarimi

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between Fellmore Management LLC, the owner of 1080 Haight Street ("John C. Spencer House"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070393 [Sale of Vacant Real Property Located at 849 Cesar Chavez Street, San Francisco, California (Lot 5 in Assessor's Block 4357]

Resolution authorizing the sale of vacant land, located at 849 Cesar Chavez Street, under the jurisdiction of the San Francisco Public Utilities Commission to Gaehwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070503 [Issuance and Sale of Tax-Exempt Bonds - Pacific Institute]
Supervisor Mirkarimi

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $32,000,000 to finance the acquisition and construction of improvements to and equipping of senior residential care facilities owned by Pacific Institute or an affiliate.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070543 **[Multifamily Housing Revenue Bonds - 275 10th Street Supportive Housing]**
Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $25,000,000 for 275 10th Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070455 **[Public Employment and Accept-Expend Grant - Improving Primary Care]**
Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (.72) FTE, in the Department of Public Health (DPH) – Primary Care, and authorizing DPH to retroactively accept and expend a grant in the amount of $241,225 from the California HealthCare Foundation for the period of March 15, 2007 through December 14, 2007.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070457 **[Public Employment and Accept-Expend Grant - DPH to Expand Oral Health Services]**
Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 6 positions (1.05 FTEs) in the Department of Public Health – Tom Waddell Health Center (DPH – TWHC), and authorizing DPH to retroactively accept and expend a grant in the amount of $1,841,000 from Tenderloin Health to participate in a project to expand oral health services for homeless individuals infected with HIV disease in San Francisco's Tenderloin district, for the period of April 1, 2007 through December 31, 2011.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070394 **[Agreement to Purchase 4-8 Guy Place]**

Resolution approving and authorizing an agreement for the purchase of real property located on 4-8 Guy Place (Lot 005, Block 3749), for public open space for a purchase price of $1,800,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

070544 **[Endorsing a Conceptual Framework for the Redevelopment of Candlestick Point and the Hunters Point Shipyard, and Authorizing Environmental Review and Planning]**
Supervisor Maxwell

Resolution endorsing a Conceptual Framework for the creation of a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the art stadium for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and public benefits for the Bayview Hunters Point community as soon as possible; making a determination that the proposed mixed-use redevelopment project as described in the Conceptual Framework is feasible for purposes of commencing environmental review; and urging City staff and the Redevelopment Agency to proceed with environmental review and planning work, including significant community review and input, in conjunction with the Lennar Corporation, for the proposed redevelopment project.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Jew

Recommendations of the Rules Committee

070082 **[Pedestrian Safety Advisory Committee - Membership]**
Supervisor Jew

Ordinance amending the San Francisco Administrative Code by amending Article IV, Sections 5.20 to reconstitute the membership of the Pedestrian Safety Advisory Board and making clerical, corrective changes.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061700 **[Establishing the Peak Oil Awareness Task Force]**
Supervisor Mirkarimi

Resolution establishing the Peak Oil Preparedness Task Force in order to coordinate the assessment of the City of San Francisco's vulnerability to energy price shocks and to determine appropriate measures to mitigate municipal vulnerability, and to draft a comprehensive response plan for recommendation to the Board of Supervisors.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CALLED FROM THE BUDGET & FINANCE COMMITTEE

070526 **[Public Employment - Administrative Services (ADM)]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Administrative Services (ADM) staffing by decreasing total staffing by 1.00 FTE. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin welcomed and introduced Congressman Martinez of Honduras.

Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to students from Convent of the Sacred Heart and Stuart Hall who participated in the Heart to Heart Backpack Drive Program.

Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to Deputy Sheriff Doug Novak.

COMMITTEE REPORTS

070538 [Public Employment - Human Services Agency and Department of Public Health]
Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Human Services Agency (DSS) and the Department of Public Healh (DPH) staffing by increasing total staffing by 9.00 positions (0.36 FTE).

(Fiscal Impact.)

Continued to June 5, 2007.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070540 [Appropriating $19,719,628, for Children, Senior and Disabled Programs for 2006-2007; and Deappropriate $15,830,000 General Fund and Appropriate $15,830,000 Rainy Day Reserve.]
Supervisor Daly

Ordinance appropriating total sources of $19,719,628, including $17,646,834 of Unappropriated General Fund Balance, $1,930,000 of Unappropriated Children's Fund Balance, $125,000 of Food Stamps Employment and Training Funds and $17,794 of SB 90 State Mandated Costs Fund; and appropriating total uses of $19,719,628, including $6,240,000 to the Department of Children, Youth and Their Families, $7,280,628 to the Human Services Agency, $705,000 to the Department of Public Health, $350,000 to the Mayor's Office of Disability, $1,900,000 to the Mayor's Office of Community Development, $1,244,000 to the Mayor's Office of Housing and $2,000,000 to the Department of Recreation and Park for various programs for Children, Youth, Families, Seniors and People with Disabilities for Fiscal Year 2006-2007, and Amending Ordinance ______, File Number 070407, to Deappropriate $15,830,000 of General Fund Balance and Appropriate $15,830,000 of Rainy Day Reserve--Capital and One-Time Spending. All funds appropriated below, excluding salaries and mandatory fringe benefits, are placed on reserve pending release by the Budget and Finance Committee.

(Fiscal Impact.)

Continued to June 5, 2007.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Maura Kopp; expressed concern with issues relating to the PUC rate structure
Denise Lapoint; expressed concern with issues relating to the PUC rate structure
David Cohen; expressed concern with issues relating to the medical cannabis facilities
Marc Lobca; expressed concern with issues relating to medical cannabis
Eugene Gordon Jr.; expressed concern with various issues
Male speaker; expressed concern with issues relating to affordable housing
Peter Warfield; expressed concern with issues relating to the library
John Di Donna; expressed concern with various issues
Male speaker; expressed concern with issues relating to affordable housing
Female speaker; expressed concern with issues relating to various issues
Rev. Webster; expressed concern with issues related to medical cannabis
Beth Johnson; expressed concern with issues related to medical cannabis
Ed Row; expressed concern with issues related to medical cannabis
Jean Rea; expressed concern with issues relating to parrot health
Kathy Smith; expressed concern with issues relating to various issues
Les Turner; expressed concern with issues relating to VA services
Male speaker; expressed concern with issues relating to the stables at Golden Gate Park
Denise Dory; expressed concern with issues relating to medical cannabis
John Flood; expressed concern with issues relating to OCC appeals
John Martinelli; expressed concern with issues relating to medical cannabis

Supervisor Dufty was noted absent at 3:30 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070634 **[Zoning-Extension of Planning Commission review period]**
Supervisor McGoldrick

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more.

ADOPTED

070635 **[Commending Scott Shaw]**
Supervisor Peskin

Resolution commending Scott Shaw for 30 years of dedicated service in the Department of Public Works in the City and County of San Francisco.

ADOPTED

070636 **[Commending Richard Schulke]**
Supervisor Peskin

Resolution commending Richard Schulke for his advocacy, leadership, and persistent efforts to improve the welfare of animals in the City and County of San Francisco.

ADOPTED

070637 **[Public Works Week - May 20 through May 26, 2007]**
Supervisors Peskin, Elsbernd

Resolution proclaiming May 20 through 26, 2007 as Public Works Week in San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070638 **[Commending Sherri Franklin]**
Resolution commending Sherri Franklin for her inspiring leadership and devotion to improving the welfare of animals in the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070639 **[School Patrol Day - May 17, 2007]**
Supervisors Peskin, Elsbernd

Resolution proclaiming May 17, 2007 as AAA School Safety Patrol Day in San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070640 **[Black Cat Café Plaque for 710 Montgomery Street]**
Supervisors Peskin, Elsbernd

Resolution authorizing the placement of a plaque in the sidewalk in front of 710 Montgomery Street to honor the Black Cat Café.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070642 **[Urging swift passage of Assembly Bill 102]**
Supervisor Ammiano

Resolution supporting and urging the swift passage of AB 102, the Name Equality Act.

ADOPTED

070645 **[Proclaiming May 16, 2007 as Livestrong Day]**
Supervisors Mirkarimi, Elsbernd

Resolution proclaiming May 16, 2007 as Livestrong Day in the City and County of San Francisco and commending the Lance Armstrong Foundation's annual grassroots initiatives to unite people affected by cancer.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070610 **[Final Map - 2161 Sutter Street]**
Motion approving Final Map 3866, a 116 Unit Residential Condominium Project, located at 2161 Sutter Street, being a merger and resubdivision of Lot 5 and those lots shown on "MAP OF 2000 POST STREET, PHASE 1" recorded in Book 26 of CONDOMINIUM MAPS, page 26 in Assessors Block No. 0682 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

070612 **[Final Map - 4200 18th Street]**
Motion approving Final Map 4037, a 15 Unit Commercial Condominium Project, located at 4200 18th Street being a subdivision of Lot 052 in Assessors Block No. 2648 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

Severed from For Adoption without Reference to Committee

Supervisor Peskin requested that this item be severed so that it might be considered separately.

070620 [Calling File No. 070526 from the Budget and Finance Committee]
Supervisor Dufty

Motion to call File No. #070526 – (Ordinance amending Ordinance No. 203-06, Annual Salary Ordinance FY 2006-2007, to reflect the proposed changes to Administrative Services staffing by decreasing total staffing by 1.00 FTE) - from the Budget and Finance Committee to be heard by the Full Board of Supervisors on May 15th, 2007 .

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly requested that this item be severed so that it might be considered separately.

070641 [Gift to City of travel from Chamber of Commerce for 2007 CityTrip]
Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

Supervisor requested that this item be referred to committee.
REFERRED.

070611 [Final Map - 1390 Market Street]

Motion approving Final Map 3859, a One Residential Unit and Four Commercial Unit Mixed-Use Condominium Project, located at 1390 Market Street being a subdivision of Lot 6 in Assessors Block No. 0813 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Supervisor Peskin requested that this item be severed from for adoption without reference to committee.

Continued to May 22, 2007.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070598 **[Partial Settlement of Lawsuit - AON Risk Services of New York, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Aon Risk Services of New York, Inc. for $220,000; San Francisco's causes of action against AON were filed on February 15, 2006, and constitute part of the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court; other material terms of said settlement are that San Francisco and AON will execute a mutual release, San Francisco will execute and file dismissals of all claims with prejudice, San Francisco and AON will each bear their own fees and costs of suit, AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation, and the settlement does not constitute an admission of liability regarding any claim. (City Attorney)

5/7/07, RECEIVED AND ASSIGNED to Rules Committee.

070599 **[Settlement of Lawsuit - Coast Marine Industrial Supply, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Coast Marine Industrial Supply, Inc. for $30,500; the lawsuit was filed on August 3, 2005 in San Francisco Superior Court, Case No. 443-691; entitled City and County of San Francisco, et al. v. Coast Marine Industrial Supply, Inc., et al. (City Attorney)

5/7/07, RECEIVED AND ASSIGNED to Rules Committee.

070601 **[Payment of Criminal Justice Reward]**

Ordinance authorizing payment of a $25,000 reward to John Doe for supplying information leading to the arrest and conviction of Joseph Stevens in the shooting deaths of Dernae Wysinger and Naemon Wysinger. (Mayor)

5/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

070600 **[Settlement of Administrative Civil Liability Complaint - San Francisco Water Quality Control Board]**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $626,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Water Quality Control Board, in the amount not to exceed $582,000, plus payment of a $44,000 penalty. (City Attorney)

5/7/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED MOTIONS

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:04 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

Tuesday, May 22, 2007 2:00 PM

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MAY 24 2007
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

F
90
#69
5/22/07

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier, Daly	1st and 3rd Monday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes of April 24, 2007. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070456 **[Public Employment and Accept-Expend Grant - HIV/AIDS Statistics and Epidemiology]**
Supervisors Dufty, Ammiano, Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1 positions (.125 FTE) in the Department of Public Health (DPH) – AIDS Office, and authorizing DPH to retroactively accept and expend a grant in the amount of $373,619 from the Department of Health and Human Services, National Institutes of Health and to approve three contracts with the following agencies: ISIS Inc., The University of Pittsburgh, and PHFE Management Solutions for the period of January 1, 2007 through December 31, 2007.

Supervisor Mirkarimi requested to be added as a co-sponsor.
FINALLY PASSED

070457 **[Public Employment and Accept-Expend Grant - DPH to Expand Oral Health Services]**
Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 6 positions (1.05 FTEs) in the Department of Public Health – Tom Waddell Health Center (DPH – TWHC), and authorizing DPH to retroactively accept and expend a grant in the amount of $1,841,000 from Tenderloin Health to participate in a project to expand oral health services for homeless individuals infected with HIV disease in San Francisco's Tenderloin district, for the period of April 1, 2007 through December 31, 2011.

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

070454 **[Grant to improve care for patients in San Francisco with anxiety disorders]**
Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH – CBHS) to accept and expend a new 24-month grant in the amount of $377,345, from the Mylan Settlement Fund (State of Connecticut, et al. v. Mylan Laboratories), to provide services for patients with anxiety disorders; for the period of June 1, 2007 through May 31, 2009.

ADOPTED

070542 **[Accept-Expend Gift - Department of Public Works]**
Supervisor Daly

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of $100,000 from the San Francisco Giants for the services of DPW to install hanging baskets along 3rd Street, plant a ceremonial magnolia tree for Arbor Day on Cesar Chavez Street, assist in the mounting of brackets and banners as it pertains to the All Star Game and provide trees for the Giants Volunteer Day.

ADOPTED

Recommendations of the Rules Committee

070082 **[Pedestrian Safety Advisory Committee - Membership]**
Supervisor Jew

Ordinance amending the San Francisco Administrative Code by amending Article IV, Sections 5.20 to reconstitute the membership of the Pedestrian Safety Advisory Board and making clerical, corrective changes.

FINALLY PASSED

070482 **[Settlement of Lawsuit - Carl Montgomery]**
Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for $30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032; entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

070509 **[Settlement of Government Claim - San Francisco Forty Niners, Ltd.]**

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

070455 **[Public Employment and Accept-Expend Grant - Improving Primary Care]**
Supervisor Dufty

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (.72) FTE, in the Department of Public Health (DPH) – Primary Care, and authorizing DPH to retroactively accept and expend a grant in the amount of $241,225 from the California HealthCare Foundation for the period of March 15, 2007 through December 14, 2007.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee

070526 **[Public Employment - Administrative Services (ADM)]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Administrative Services (ADM) staffing by decreasing total staffing by 1.00 FTE. (Mayor)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

070217 **[Zoning - Interim moratorium on installation of microcell equipment]**
Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Continued to June 12, 2007.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070466 **[Public Works Excavation Code]**
Supervisor Mirkarimi

Ordinance amending Public Works Code Sections 2.4.44 and 2.4.46 to delete the street restoration fee and amending Section 2.4.55 to require restoration of all affected lanes for the entire block when 25% or more of the block's length is excavated to extend to the time required for backfill, replacement of pavement base, and finished pavement associated with street restoration from 72 to 120 hours; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070488 **[Appropriating $2,345,549 for the Juvenile Hall Youth Guidance Center Replacement Project in the Department of Public Works for Fiscal Year 2006-2007]**

Ordinance appropriating $2,345,549, of which $1,077,589 is from Juvenile Hall Youth Guidance Center Replacement Project Certificates of Participation (COPs) interest earned, $847,960 is from the Reserve for Rainy Day – One-time Spending Account, and $420,000 is from a deappropriation of the Youth Guidance Center facilities maintenance project, to fund Juvenile Hall Youth Guidance Center Replacement Project construction costs in the Department of Public Works for Fiscal Year 2006-2007. (Public Works Department)

(Fiscal Impact.)
(Supervisor Daly dissented in Committee on the question of appropriating to CON1GAGFACP 096R1 Reserve for Rainy Day - One time spending of $847,960).

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Sandoval

070499 **[Public Employment - Department of Human Resources]**
Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 15 positions (1.20 FTE) at the Department of Human Resources (HRD).

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070582 **[Public Employment - Treasurer/Tax Collector]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Treasurer/Tax Collector (TTX) staffing by decreasing total staffing by 1.00 position (.04 FTE).

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070421 **[Department of Building Inspection Annual Report printing]**

Resolution authorizing the Department of Building Inspection, in accordance with Administrative Code Section 1.56, to expend funds to print 50 copies its fiscal year 2005/06 Annual Report and 50 copies of its fiscal year 2006/07 Annual Report. (Building Inspection Department)

(Supervisor Daly dissented in Committee.)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070424 **[Lease of Real Property at 1212 Market Street]**

Resolution authorizing the lease of 14,472 square feet of space at 1212 Market Street (and also commonly known as 11 Grove Street) for the Department of the Environment. (Real Estate Department)

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070483 **[Lease of Real Property at the southwest corner of 13th Street and South Van Ness Avenue]**

Resolution authorizing the lease of a parking lot, containing approximately 78,005 square feet, located at the southwest corner of 13th Street and South Van Ness Avenue. (Real Estate Department)

(Supervisors Ammiano and Mirkarimi dissented in committee.)
(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Ammiano, Mirkarimi

070506 [Lease of Real Property - 1390 Market Street]
Supervisor Peskin

Resolution authorizing the exercise of an option to extend an approximate 68,783 square foot lease at 1390 Market Street for use by the City Attorney.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070545 [Extension of Agreement with Serco Management Services, Inc.]
Supervisor McGoldrick

Resolution approving the Fourth Amendment to the agreement between Serco Management Systems, Inc. and the City and County of San Francisco, extending the contract by one year, and raising the not-to-exceed amount of the contract from $50,000,000 to $61,000,000.

(Fiscal Impact.)

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution approving the Fourth Amendment to the agreement between Serco Management Systems, Inc. and the City and County of San Francisco, extending the contract by one year, and raising the not-to-exceed amount of the contract from $50,000,000 to $51,000,000.

(Fiscal Impact.)

ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

070467 [Prohibiting the Feeding of Wild Birds, Including Red-Masked Parakeets]
Supervisors Peskin, Dufty

Ordinance amending section 486 of the Police Code to specify that the feeding of Red-Masked Parakeets is prohibited.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070607 **[Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]**
Supervisor Jew

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in an additional section of the City on Saturday, May 5, 2007 as part of Small Business Week.

Supervisor Jew, seconded by Supervisor Elsbernd, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070367 **[City's ADA Transition Plan and Uniform Physical Access Strategy]**
Supervisors Alioto-Pier, Ammiano

Resolution adopting the City's ADA Transition Plan and Uniform Physical Access Strategy.

Supervisor Ammiano requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070369 **[Supporting a study to explore small boat storage in the Marina Yacht Harbor]**
Supervisor Alioto-Pier

Resolution supporting a study to explore small boat storage in the Marina Yacht Harbor.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER

Board of Supervisors Sitting as a Committee of the Whole

Called From the City Operations and Neighborhood Services Committee

070401 [San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies]
Supervisor Daly

Hearing to explore San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies--Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Conservation and Development Commission, and Bay Area Air Quality Management District.

Representatives from the Association of Bay Area Governments and Planning Department staff reviewed and updated the Board on San Francisco's participation in "Focusing Our Vision".
the President inquired as to whether or not any member of the public wished to address the Board.
There were none.
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Elsbernd welcome, introduced, and presented a Certificate of Honor to Kate Favetti, Executive Officer, Civil Service Commission in recognition of her 36 years of service to the City and County of San Francisco.

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to the Department of Public Works in recognition of National Public Works Week.

Supervisor Mirkarimi welcomed, introduced, and presented Certificates of Honor to members of the VIP Huckleberry House Program.

SPECIAL ORDER 4:00 P.M.

Supervisors Daly and Dufty Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisors Daly and Dufty from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

070560 **[Public Hearing - Appeal of Final Environmental Impact Report for Market and Octavia Neighborhood Plan]**

Hearing of persons interested in or objecting to the Planning Commission's April 5, 2007, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0347E, through its Motion No. 17406, for a proposed Market and Octavia Plan, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, adoption of Urban Design Guidelines, and amendments to the Western Addition A-2 Redevelopment Plan. The Plan area is generally located to the West of the City's Downtown area and includes portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley, and Upper Market Neighborhoods of San Francisco. (Appellants: Martin Hamilton on behalf of New College of California, F. Joseph Butler on behalf of the San Francisco Preservation Consortium and Mary Miles representing the Coalition for Adequate Review.)

(Date Filed: 4/25/07; companion measure to Files 060561, 060562, 060563.)

The President inquired as to whether or not any member of the public wished to address the Board.

Mary Miles, Appellant
John Bardis
Male Speaker
Paul Olsen

Continued to June 12, 2007

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070561 **[Affirming certification of Market and Octavia Area Plan FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan.

Continued to June 12, 2007

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

070562 **[Disapproving certification of Market and Octavia Area Plan FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for Market and Octavia Area Plan.

Continued to June 12, 2007

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

070563 **[Preparation of findings to disapprove certification of the Market and Octavia Area Plan FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan FEIR.

Continued to June 12, 2007

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, Dufty

COMMITTEE REPORTS

070439 **[Appointment - Citizens' General Obligation Bond Oversight Committee]**

Resolution appointing Kristin Chu, term ending November 21, 2008, to the Citizens' General Obligation Bond Oversight Committee.

Kristin Chu, succeeding John Hentz, term expired, seat 3, must be active in a community organization, for the unexpired portion of a two-year term ending November 21, 2008.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070513 **[Urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code]**
Supervisor Ammiano

Resolution urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Elsbernd assumed the Chair.

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Walter; shared with the Board, in song, various city memorabila
Male speaker; expressed concern with various issues
Mark Gruber; expressed concern with issues relating to Yellow Cab leasing practices
Erwin Lum, Local 250A representative; expressed concern with issues relating to a proposed Charter Amendment regarding Muni
Barbara Brooks, Muni Operator; expressed concern with issues relating to a Muni and a proposed Charter Amendment regarding Muni
Dave Farlow, United Taxicab Workers; expressed concern with issues related taxi leases
Eugene Gordon Jr.; expressed concern with various issues
Male speaker; expressed concern with issues relating to emissions and Muni services and supported the proposed Charter Amendment
Glenda Levin, Local 200; expressed concern with issues relating to a Muni and a proposed Charter Amendment regarding Muni
Albert Gomez; expressed concern with various issues
Ms. Estella; expressed concern with issues relating to immigration
Gloria Caso; expressed concern with issues relating to immigration
Female speaker; expressed concern with issues relating to immigration
Christine Gutierez; expressed concern with issues relating to immigration
Sylvia Johnson; expressed concern with various issues
Richard Robinson; expressed concern with various issues

CONFERENCE WITH CITY'S LABOR NEGOTIATORS

Supervisor Alioto-Pier was noted absent at 4:28 p.m.

070691 **[Closed Session - Conference with City's Labor Negotiators]**
Supervisor Peskin

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators and the Director of Human Resources, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

CLOSED SESSION

The Board recessed at the hour of 4:28 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:58 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Persons in attendance:
Jim Horan, Acting Director of Human Resources
Micki Callaghan, Deputy Director, Department of Human Resources
Cheryl Adams, Deputy City Attorney
Monique Zmuda, Deputy Controller
Kay Gulbengay, Interim Clerk of the Board

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Jew, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070685 **[Issuance and sale of tax-exempt bonds - Hamlin School]**
Supervisors Alioto-Pier, Sandoval

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $20,000,000 to finance various capital facilities owned by The Hamlin School or an affiliate.

Supervisor Sandoval requested to be added as a co-sponsor.
ADOPTED

070686 **[Evelyn and Walter Haas, Jr. Fund Commendation]**
Supervisor Peskin

Resolution commending the Evelyn and Walter Haas, Jr. Fund for its extraordinary leadership gift to the Presidio.

ADOPTED

070688 **[Declaring May 23, 2007, James Loyce Jr. Day in San Francisco]**
Supervisors Ammiano, Dufty

Resolution in recognition and appreciation of James Loyce Jr. upon his retirement from service to the City & County of San Francisco, and declaring May 23, 2007 James Loyce Jr. day in San Francisco

Supervisor Dufty requested to be added as a co-sponsor.
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

070611 **[Final Map - 1390 Market Street]**
Motion approving Final Map 3859, a One Residential Unit and Four Commercial Unit Mixed-Use Condominium Project, located at 1390 Market Street being a subdivision of Lot 6 in Assessors Block No. 0813 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED by the following vote:
Ayes: 8 - Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Daly, McGoldrick

Severed from for Adoption without Reference to Committee

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

070687 [Commending Kate Favetti, Executive Officer, Civil Service Commission]
Supervisors Elsbernd, Ammiano, Dufty

Resolution commending Kate Favetti, Executive Officer, Civil Service Commission, upon her retirement after thirty six years of dedicated service.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PROPOSED ORDINANCES

070631 [Settlement of Lawsuit - U.S. Airways, Inc.]

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for the settlement of the unlitigated bankruptcy claim between the Airport and the execution of future Airport leases with US Airways, Inc. with regard to In re: US Airways, Inc. et al., Debtors, Case No. 04-12819 SSM, United States Bankruptcy Court for the District of Virginia; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal) (City Attorney)

5/16/07, RECEIVED AND ASSIGNED to Rules Committee.

070632 [Landmark Tree Designation of New Zealand Christmas Tree at 1221 Stanyan Street]
Supervisor Mirkarimi

Ordinance designating the New Zealand Christmas tree in front of 1221 Stanyan Street (Assessor's Block 2664, Lot 008) as a landmark street tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation. (Environment)

5/10/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Supervisor Mirkarimi requested to be added as the sponsor.

070647 [Settlement of Lawsuit - Teri Rouse]

Ordinance authorizing settlement of the lawsuit filed by Teri Rouse against the City and County of San Francisco for $30,000; the lawsuit was filed on November 10, 2005 in San Francisco Superior Court, Case No. 446-497; entitled Teri Rouse, et al., v. City and County of San Francisco, et al. (City Attorney)

5/9/07, RECEIVED AND ASSIGNED to Rules Committee.

070657 [Repealing expired and superceded provision establishing Heavy Truck Loading Zones]

Ordinance amending the San Francisco Traffic Code by repealing expired Section 33.3.1 establishing heavy truck loading zones, and making a conforming change to Section 132 to eliminate the penalty for violating Section 33.3.1. (Municipal Transportation Agency)

5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070658 **[Eliminating obsolete peddler permitting program that expired in 1989]**
Ordinance amending the San Francisco Traffic Code by amending Section 68 to remove obsolete references to Traffic Zone No. 1 and an expired permitting program for peddlers. (Municipal Transportation Agency)
5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070659 **[Establishing restrictions on trucks and buses on portions of Broderick, Ellis, and Eddy Streets and St. Joseph's Avenue]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Police Code by adding Sections 1183.37 through 1183.40 and amending the San Francisco Traffic Code by adding Sections 28.1.171 through 28.1.174 to establish bus and vehicle weight restrictions on portions of Broderick Street, St. Joseph's Avenue, Eddy Street and Ellis Street. (Municipal Transportation Agency)
5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
Supervisor Mirkarimi requested to be added as the sponsor.

PROPOSED RESOLUTIONS

070655 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY ONTO CARTER STREET - ESTABLISH
Walbridge Street, eastbound onto Carter Street

NO TURN ON RED - RESCIND
Geneva Avenue, eastbound, at Carter Avenue and Walbridge Street

ONE-WAY STREET - ESTABLISH
Florentine Street, southbound (uphill), from Mission Street to Brunswick Street

LEFT LANE MUST TURN LEFT - ESTABLISH
Buchanan Street, northbound, at Hermann Street (Parking and Traffic Department)

(5/3/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. DPW Order No. 3356)
5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070656 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, north side, from 64 feet to 143 feet west of Castro Street (a 79-foot zone);
Mason Street, west side, from Jefferson Street to 40 feet southerly (removes two parking meter spaces to accommodate buses turning left onto Mason Street); and,
Geneva Avenue, south side, from Carter Street to 100 feet westerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Minnesota Street side of 1415 Indiana Street, from 2 feet to 9 feet north of the Minnesota Street driveway for 1415 Indiana Street (accommodating two unmetered motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Beachmont Drive, both sides, between Sloat Boulevard and Lagunitas Drive (unit block).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Grove Street, both sides, between Buchanan and Webster Streets (700 block).

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
Stanyan Street, east side, from Fulton Street to McAllister Street (legalizing existing conditions) (Parking and Traffic Department)

(5/3/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. DPW Order No. 3356)
5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED MOTIONS

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:59 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

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Tuesday, June 5, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier	1st and 3rd Mondays 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:15 p.m. On the call of the roll Supervisor Sandoval was noted absent.

There was a quorum.

Supervisor Sandoval was present at 2:21 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of May 1, 2007 and May 8, 2007. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070582 [Public Employment - Treasurer/Tax Collector]
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Treasurer/Tax Collector (TTX) staffing by decreasing total staffing by 1.00 position (.04 FTE).

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recommendation of the City Operations and Neighborhood Services Committee

070619 [Grant to undertake pandemic influenza planning and outreach]
Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend a new grant in the amount of $299,750 from the Metta Fund to undertake pandemic influenza planning and outreach projects, which includes a new contract with Public Health Foundation Enterprises, for the period of July 1, 2007 through June 30, 2008.

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recommendations of the Rules Committee

070558 [Settlement of Lawsuit - A. Ruiz Construction & Associates, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against A. Ruiz Construction & Associates, Inc. for $200,000; the lawsuit was filed on January 28, 2005 in San Francisco Superior Court, Case No. 438-235; entitled City and County of San Francisco, et al. v. A. Ruiz Construction & Associates, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070559 [Settlement of Lawsuit - Proven Management, Inc.]

Ordinance authorizing settlement of the lawsuits filed by: (1) the City and County of San Francisco ("the "City") against Proven Management, Inc. ("Proven") on August 01, 2005, in San Francisco Superior Court Case No. CGC 05-443632, entitled, City and County of San Francisco et. al. v. Proven Management, Inc. et. al., and (2) Proven against the City on December 15, 2005, in Tuolumne County Superior Court Case No. 51778, entitled, Proven Management, Inc. v. City and County of San Francisco et. al., with (a) Proven paying the City: $250,000 in damages; reimbursing the City up to $450,000 to administer corrective work; and Proven replacing valve assemblies and correcting numerous items of work on the Baden Pumps Station Project; and completing its contract; and (b) the City increasing Proven's contract amount on the Priest Bypass Project by $700,000 and releasing all contract balances. (City Attorney)

PASSED, ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070598 [Partial Settlement of Lawsuit - AON Risk Services of New York, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Aon Risk Services of New York, Inc. for $220,000; San Francisco's causes of action against AON were filed on February 15, 2006, and constitute part of the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court; other material terms of said settlement are that San Francisco and AON will execute a mutual release, San Francisco will execute and file dismissals of all claims with prejudice, San Francisco and AON will each bear their own fees and costs of suit, AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation, and the settlement does not constitute an admission of liability regarding any claim. (City Attorney)

PASSED, ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070600 **[Settlement of Administrative Civil Liability Complaint - San Francisco Water Quality Control Board]**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $626,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Water Quality Control Board, in the amount not to exceed $582,000, plus payment of a $44,000 penalty. (City Attorney)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070648 **[Appointment - In-Home Supportive Services Public Authority]**

Resolution appointing Elva Moran Hernandez, term ending March 1, 2010, to the In-Home Supportive Services Public Authority; residency requirement waived.

Elva Moran Hernandez, succeeding Jose Quintana, seat 4, term expired, must be a worker who provides personal assistance services to a consumer, for the unexpired portion of a three-year term ending March 1, 2010.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070649 **[Appointment - Bicycle Advisory Committee]**

Resolution appointing Marc Brandt, term ending November 19, 2008, to the Bicycle Advisory Committee.

Marc Brandt, succeeding Frank Chan, term expired, seat 3, must be a nominee of District 3 Supervisor, for the unexpired portion of a two-year term ending November 19, 2008.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070650 **[Appointment - Immigrant Rights Commission]**

Resolution appointing Joaquin Gonzalez, term ending June 6, 2008, and Felix Levy, term ending June 6, 2009, to the Immigrant Rights Commission.

Joaquin Gonzalez, succeeding Ivy Lee, resigned, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2008.
Felix Levy, succeeding himself, term expiring June 6, 2007, seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2009.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070652 **[Appointment - Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**

Resolution appointing Aleem Raja, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Aleem Raja, new appointment, seat 2, must be a member of the public defender's office, for the unexpired portion of a two-year term ending January 1, 2009.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070653 **[Appointment - SRO Task Force]**

Resolution appointing Charles Siron to the SRO Task Force, term ending December 31, 2009.

Charles Siron, new appointment, seat 1, must be SRO tenant, for the unexpired portion of a three-year term ending December 31, 2009.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070654 **[Appointment - Graffiti Advisory Board]**

Resolution appointing Nino Parker, term ending April 10, 2009, to the Graffiti Advisory Board.

Nino Parker, new appointment, seat 12, must represent youth groups who provide services for juveniles involved in alternative programs for graffiti diversion, for the unexpired portion of a two-year term ending April 10, 2009.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

070651 **[Appointment - Entertainment Commission]**

Motion appointing James Meko, term ending July 1, 2011, to the Entertainment Commission.

James Meko, succeeding himself, term expiring July 1, 2007, seat 1, must
represent the interests of City neighborhood associations or groups, for a new four-year term ending July 1, 2011.

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Severed from the Consent Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

070466 **[Public Works Excavation Code]**
Supervisor Mirkarimi

Ordinance amending Public Works Code Sections 2.4.44 and 2.4.46 to delete the street restoration fee and amending Section 2.4.55 to require restoration of all affected lanes for the entire block when 25% or more of the block's length is excavated to extend to the time required for backfill, replacement of pavement base, and finished pavement associated with street restoration from 72 to 120 hours; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Called From City Operations and Neighborhood Services Committee

060589 **[Liquor License Transfer, 845 Market Street, Space 010]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to July 31, 2007.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

From the Budget and Finance Committee "Without Recommendation"

070538 **[Public Employment - Human Services Agency and Department of Public Health]**
Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Human Services Agency (DSS) and the Department of Public Healh (DPH) staffing by increasing total staffing by 9.00 positions (0.36 FTE).

(Fiscal Impact.)

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070540 **[Appropriating $19,719,628, for Children, Senior and Disabled Programs for 2006-2007; and Deappropriate $15,830,000 General Fund and Appropriate $15,830,000 Rainy Day Reserve]**
Supervisor Daly

Ordinance appropriating total sources of $19,719,628, including $17,646,834 of Unappropriated General Fund Balance, $1,930,000 of Unappropriated Children's Fund Balance, $125,000 of Food Stamps Employment and Training Funds and $17,794 of SB 90 State Mandated Costs Fund; and appropriating total uses of $19,719,628, including $6,240,000 to the Department of Children, Youth and Their Families, $7,280,628 to the Human Services Agency, $705,000 to the Department of Public Health, $350,000 to the Mayor's Office of Disability, $1,900,000 to the Mayor's Office of Community Development, $1,244,000 to the Mayor's Office of Housing and $2,000,000 to the Department of Recreation and Park for various programs for Children, Youth, Families, Seniors and People with Disabilities for Fiscal Year 2006-2007, and Amending Ordinance _______, File Number 070407, to Deappropriate $15,830,000 of General Fund Balance and Appropriate $15,830,000 of Rainy Day Reserve--Capital and One-Time Spending. All funds appropriated below, excluding salaries and mandatory fringe benefits, are placed on reserve pending release by the Budget and Finance Committee.

(Fiscal Impact.)

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Budget and Finance Committee

070488 **[Appropriating $2,345,549 for the Juvenile Hall Youth Guidance Center Replacement Project in the Department of Public Works for Fiscal Year 2006-2007]**
Supervisor Elsbernd

Ordinance appropriating $2,345,549, of which $1,077,589 is from Juvenile Hall Youth Guidance Center Replacement Project Certificates of Participation (COPs) interest earned, $847,960 is from the Reserve for Rainy Day – One-time Spending Account, and $420,000 is from a deappropriation of the Youth Guidance Center facilities maintenance project, to fund Juvenile Hall Youth Guidance Center Replacement Project construction costs in the Department of Public Works for Fiscal Year 2006-2007. (Public Works Department)

(Fiscal Impact.)
(Supervisor Daly dissented in Committee on the question of appropriating to CON1GAGFACP 096R1 Reserve for Rainy Day - One time spending of $847,960).

Supervisor Elsbernd requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070499 **[Public Employment - Department of Human Resources]**
Supervisor Daly

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 15 positions (1.20 FTE) at the Department of Human Resources (HRD).

(Fiscal Impact.)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

Recommendation of the City Operations and Neighborhood Services Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

070467 **[Prohibiting the Feeding of Wild Birds, Including Red-Masked Parakeets]**
Supervisors Peskin, Dufty

Ordinance amending section 486 of the Police Code to specify that the feeding of Red-Masked Parakeets is prohibited.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070422 [Appropriating $953,347 of State reimbursements for additional ballot costs and other current expenses in the Department of Elections for Fiscal Year 2006-2007]
Supervisor Elsbernd

Ordinance retroactively appropriating $953,347 from State mandated prior year election cost reimbursements to fund additional ballot costs related to the November 2006 Election and other current expenses in the Department of Elections for Fiscal Year 2006-2007. (Elections Department)

(Fiscal Impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

061431 [Grant of Federal Funds - Municipal Transportation Agency]
Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,693,215 of federal Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility and the purchase of Automatic Vehicle Locator (AVL) equipment.

(Fiscal impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070741 [Issuance and Sale of Tax-Exempt Bonds - Katherine Delmar Burke School]
Supervisor McGoldrick

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $17,000,000 to finance various capital facilities owned by The Katherine Delmar Burke School or an affiliate.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070500 **[Reconstruction of San Francisco General Hospital; Finding of Fiscal Responsibility]**
Mayor

Resolution adopting finding that the proposed reconstruction of San Francisco General Hospital is fiscally feasible and responsible under Administrative Code Chapter 29.

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070584 **[Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]**
Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management, information booth, security services, and shuttle bus services (Airport); paratransit and security services, citation information, janitorial and landscaping, coin counting and collection, security services, and towing services (MTA Parking & Traffic); janitorial and security services (Port).

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Maxwell

070674 **[Public Education Enrichment Fund - First Five Commission]**
Supervisors Daly, Dufty, Ammiano

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-2008.

Supervisor Ammiano requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

070675 **[Public Education Enrichment Fund - Unified School District]**
Supervisors Daly, Dufty, Ammiano

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-2008.

Supervisor Ammiano requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

Recommendations of the City Operations and Neighborhood Services Committee

070621 [Declaring a public nuisance]
Supervisors Dufty, Alioto-Pier

Ordinance amending Article 18 of the San Francisco Public Works Code by adding Section 944 to declare a public nuisance any property located in a underground utility district in which the property owner has refused to comply with an order from the Director of Public Works to install conduits and associated equipment necessary to obtain utility service at a building or structure on the property; amending Section 926 of the Public Works Code to allow the City to recover all costs incurred by the City in connection with abating the public nuisance; amending Sections 900, 915, and 919 through 930 of the Public Works Code consistent with this legislation; and further amending Sections 900, 901, 906, 908 through 911, and 938 of the Public Works Code to make certain technical changes that are necessary to bring those sections up-to-date.

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070632 [Landmark Tree Designation of New Zealand Christmas Tree at 1221 Stanyan Street]
Supervisor Mirkarimi

Ordinance designating the New Zealand Christmas tree in front of 1221 Stanyan Street (Assessor's Block 2664, Lot 008) as a landmark street tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

060004 [Interdepartmental jurisdictional transfer of property near Islais Creek, Indiana and Cesar Chavez Streets]
Supervisor Maxwell

Resolution transferring jurisdiction of the real property identified as portions of Assessor's Parcel Nos. 4352/001 and 4382/005, at Indiana and Cesar Chavez Streets, from the Public Utilities Commission to the Municipal Transportation Agency as part of the new Islais Creek Motor Coach Operations and Maintenance Facility; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070625 [Resolution to Initiate the Designation of First St. John's Methodist Church, 1601 Larkin Street as a Landmark]
Supervisor Peskin

Resolution initiating designation of the First St. John's Methodist Church, 1601 Larkin Street, located at the Northwest corner of Larkin Street and Clay Street, encompassing all of Lot 006 in Block 620, as a Landmark pursuant to Section 1004.1 of the San Francisco Planning Code.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

070743 [Public Employment - Airport Commission and City Planning]
Mayor, Supervisor Peskin

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Airport Commission (AIR) and City Planning (CPC) staffing by decreasing total staffing by 3.00 positions (0.12 FTE).

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070474 [Supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators]
Supervisor Peskin

Resolution supporting SB 464 to discourage abuse of the Ellis Act by real estate speculators.

ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Male speaker; expressed concern with issues relating to taxicab leasing
Eugene Gordon Jr.; expressed concern with various issues
John Di Donna; expressed concern with driving in San Francisco
Espanola Jackson; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Valerie Tulier; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Male speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Mr. Clift; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Francisco Da Costa; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Reverend Ernest Jackson; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Rachel Davis; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Rudy Valentino; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Max Huffman; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Theresa Coleman; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Lynne Brown; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Female speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Alicia Schwartz; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Female Speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Octavio Solozrzano; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Mr. Haynes; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Victor Centeno; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Nora Calderon; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Jesse Tello; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point

Sheila Griffin; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Jaron Browne; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Sheila Burton; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Ivan Sivona; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Male speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Neshall Lee; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Neesi; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Barbara George; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Mr. Shanover; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Felix Papel; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Male speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Jared; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Female speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Male speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point
Female speaker; expressed concern with issues related to asbestos and toxic exposure in the Bayview Hunters Point

Supervisor Jew was noted absent at 4:00 p.m.
Supervisor Dufty was noted absent at 4:19 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070748 [Issuance and sale of tax-exempt bonds - St. Ignatius College Preparatory]
Supervisor Elsbernd

Resolution approving the issuance of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $22,000,000 for the financing of the construction, improvement, furnishing and/or equipping of certain educational facilities at St. Ignatius College Preparatory and certain other matters relating thereto.

ADOPTED

070749 [Condemning prosecution of medical marijuana by the Federal government]
Supervisor Ammiano

Resolution condemning federal prosecution of Ed Rosenthal and acknowledging importance of safe and legal access to medical cannabis in San Francisco.

ADOPTED

070750 [Celebrating the 78th birthday of Harvey Milk and honoring his memory]
Supervisors Ammiano, Dufty, Mirkarimi, Elsbernd

Resolution celebrating the 78th birthday of Harvey Milk, LGBT civil rights pioneer, former Supervisor, and legendary San Francisco leader.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070751 [Urging the Federal government to declare a moratorium on ICE raids]
Supervisors Ammiano, Elsbernd

Resolution urging a moratorium on ICE raids (at the very least) until the unresolved question of what to do about separated families, the trauma they are forced to endure, who should care for children left behind after their parents are deported, and who shall bare the associated costs, and until comprehensive immigration reform is agreed upon at the Federal level.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070752 [Urging the State Assembly Appropriations Committee to support Assembly Bill 433 (Beal)]
Supervisor Maxwell

Resolution urging the State Assembly Appropriations Committee to support Assembly Bill 433 (Beal) to require the Department of Social Services (DSS) to propose a new name for the Food Stamp program and to establish categorical eligibility for food stamp benefits for Medi-Cal recipients who are eligible for services funded by the Temporary Assistance for Needy Families (TANF) block grant.

ADOPTED

070753 [Urging the US Congress to support 2007 Farm Bill]
Supervisor Maxwell

Resolution urging the United States Congress to support a strong Nutrition Title in the 2007 Farm Bill that will improve the Food Stamp Program, strengthen The Emergency Food Assistance Program (TEFAP), fully fund the Commodity Supplemental Food Program (CSFP), and support adequate nutrition for everyone.

ADOPTED

070755 [Urging the University of California San Francisco to reduce its energy consumption through a reduction of night lighting]
Supervisor Mirkarimi

Resolution urging the University of California San Francisco to reduce its energy consumption by 10% over the next two years, in part through a reduction of night lighting on its campuses.

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

Severed from Adoption without Committee Reference

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

070754 **[Urging environmental analysis of water supply alternatives that will not increase diversions of freshwater from the Tuolumne River and urging active implementation of conservation and recycled water programs]**

Supervisors Maxwell, Peskin, McGoldrick, Mirkarimi, Ammiano

Resolution urging the San Francisco Planning Department and the San Francisco Public Utilities Commission to fully analyze a water supply alternative in the Programmatic Environmental Impact Report that will not result in increased diversions of freshwater from the Tuolumne River.

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

Resolution urging the San Francisco Planning Department to fully analyze a water supply alternative in the Program Environmental Impact Report that will not result in increased diversions of freshwater from the Tuolumne River and urging the San Francisco Public Utilities Commission to undertake and implement water conservation and recycled water programs.

Continued to June 12, 2007.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070700 **[Settlement of Claim Against Sprint/Nextel]**

Ordinance authorizing settlement of a claim by the City and County of San Francisco against the Sprint/Nextel Corporation for funding the planning for reconfiguration of the City's 800 MHz Radio Communications System. (City Attorney)

5/16/07, RECEIVED AND ASSIGNED to Rules Committee.

070747 **[Settlement of Lawsuit - Colonial American Casualty and Surety Company and Competent Builders, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by Colonial American Casualty and Surety Company and Competent Builders, Inc., against the City and County of San Francisco, for payment to the City of $450,000; the lawsuit was filed on October 9, 2002 in San Francisco Superior Court, Case No. CGC 02-413272; entitled Division of Labor Standards Enforcement v. Colonial American Casualty and Surety Company, et al; other material terms of said settlement are payment by Competent Builders, Inc., and other parties, to Colonial American Casualty and Surety Company, and full releases among all parties. (City Attorney)

5/21/07, RECEIVED AND ASSIGNED to Rules Committee.

070764 **[Changing Official Sidewalk Width - Jessie Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1574 to change the official sidewalk width on the northerly side of Jessie Street westerly of Ecker Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modifications, or both of facilities affected by the sidewalk width change.

5/23/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070766 **[Settlement of Lawsuit - Northwest Airlines Corporation, et al.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Northwest Airlines Corporation, et al., Debtors, Case No. 05-17930ALG, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

5/25/07, RECEIVED AND ASSIGNED to Rules Committee.

070767 **[Settlement of Lawsuit - Delta Air Lines Inc., et al.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Delta Air Lines Inc., et al., Debtors, Case No. 05-17923PCB, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

5/25/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

070701 **[Approval of an historical property contract for 1735 Franklin Street - the Bransten House]**

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between Tad and Masumi Oride, the owners of San Francisco Landmark No. 126 located at 1735 Franklin Street (the Bransten House) and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract. (Planning Commission)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070702 **[Second Amendment to Catholic Charities Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Catholic Charities to increase utility rates. (Treasure Island Development Authority)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070703 **[Second Amendment to Community Housing Partnership Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Community Housing Partnership to add 42 residential units to the premises, to increase the common area maintenance charge and to increase utility rates. (Treasure Island Development Authority)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070704 **[First Amendment to Haight Ashbury Free Clinics Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Haight Ashbury Free Clinics to increase utility rates. (Treasure Island Development Authority)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070705 **[First Amendment to Rubicon Programs Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Rubicon Programs to increase utility rates. (Treasure Island Development Authority)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070706 **[First Amendment to Swords to Plowshares Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Swords to Plowshares to increase utility rates. (Treasure Island Development Authority)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070707 **[Second Amendment to Walden House Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Walden House to add 12 residential units to the premises, to increase the common area maintenance charge and to increase utility rates. (Treasure Island Development Authority)

5/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070746 **[Lease of Real Property at 760 Harrison Street]**

Resolution authorizing extension of a lease of real property at 760 Harrison Street for the Department of Public Health. (Real Estate Department)

5/21/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070762 **[Airport Operating Agreement with Signature Flight Support Corporation]**

Resolution approving the Fixed Base Operator Lease and Operating Agreement between Signature Flight Support Corporation and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

5/22/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070763 **[Airport Concession Lease]**

Resolution approving the Boarding Area "F" Hub Specialty Store Lease "A" between Air Sun dba Sunglass Hut and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

5/22/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070769 [Amending a contract with anticipated expenditure in excess of $10 million]

Resolution approving the Eighth Amendment to the agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, increasing the total compensation to the Contractor by $1.3 million to $12,415,000, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

5/25/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

The meeting adjourned at 4:29 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

Tuesday, June 12, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

90
67
6/12/07

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier	1st and 3rd Mondays 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01 p.m. On the call of the roll Supervisors Alioto-Pier and Sandoval were noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:04 p.m.
Supervisor Sandoval was noted present at 2:06 p.m.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

070422 [Appropriating $953,347 of State reimbursements for additional ballot costs and other current expenses in the Department of Elections for Fiscal Year 2006-2007]
Supervisor Elsbernd

Ordinance retroactively appropriating $953,347 from State mandated prior year election cost reimbursements to fund additional ballot costs related to the November 2006 Election and other current expenses in the Department of Elections for Fiscal Year 2006-2007. (Elections Department)

(Fiscal Impact.)

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

070632 [Landmark Tree Designation of New Zealand Christmas Tree at 1221 Stanyan Street]
Supervisor Mirkarimi

Ordinance designating the New Zealand Christmas tree in front of 1221 Stanyan Street (Assessor's Block 2664, Lot 008) as a landmark street tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

070743 **[Public Employment - Airport Commission and City Planning]**
Mayor, Supervisor Peskin

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Airport Commission (AIR) and City Planning (CPC) staffing by decreasing total staffing by 3.00 positions (0.12 FTE).

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

070179 **[Parking Regulations]**
Supervisor Dufty

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "D", 4-HOUR TIME LIMIT, 9 AM to 5 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Bosworth Street, north side, from Chilton Avenue to Elk Street.

2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Bosworth Street, north side, from Chilton Avenue to Elk Street.

(2/5/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

ADOPTED

070406 **[Parking Regulations]**
Supervisor Daly

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING – AREA "U" – RESCIND
1 South Park (excludes lot 7 of block 3775 from the permit area)

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

ADOPTED

070569 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH
18th Street at Illinois Street, stopping the stem of this T-intersection;
Piedmont Street at Masonic Avenue, stopping Piedmont Street, making this T-intersection an All-Way STOP;
Noriega and 21st Avenue, stopping Noriega Street, making this intersection an All-Way STOP;
Detroit Street and Staples Avenue, stopping Detroit Street, making this intersection an All-Way STOP; and,
Lisbon Street and Silver Avenue, making this T-intersection an All-Way STOP.

STOP SIGNS - RESCIND
Craut Street and Silver Avenue intersection (rescind the 3-Way Stop);
Craut Street and Maynard Street (rescind the southbound Craut Street STOP); and,
Craut Street and Ney Street (rescind the southbound Ney Street STOP). (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

ADOPTED

070570 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (NORTHBOUND) - ESTABLISH
Craut Street, between Silver Avenue and Trumbull Street (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

ADOPTED

Recommendations of the Rules Committee

070558 **[Settlement of Lawsuit - A. Ruiz Construction & Associates, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against A. Ruiz Construction & Associates, Inc. for $200,000; the lawsuit was filed on January 28, 2005 in San Francisco Superior Court, Case No. 438-235; entitled City and County of San Francisco, et al. v. A. Ruiz Construction & Associates, et al. (City Attorney)

FINALLY PASSED

070559 **[Settlement of Lawsuit - Proven Management, Inc.]**

Ordinance authorizing settlement of the lawsuits filed by: (1) the City and County of San Francisco ("the "City") against Proven Management, Inc. ("Proven") on August 01, 2005, in San Francisco Superior Court Case No. CGC 05-443632, entitled, City and County of San Francisco et. al. v. Proven Management, Inc. et. al., and (2) Proven against the City on December 15, 2005, in Tuolumne County Superior Court Case No. 51778, entitled, Proven Management, Inc. v. City and County of San Francisco et. al., with (a) Proven paying the City: $250,000 in damages; reimbursing the City up to $450,000 to administer corrective work; and Proven replacing valve assemblies and correcting numerous items of work on the Baden Pumps Station Project; and completing its contract; and (b) the City increasing Proven's contract amount on the Priest Bypass Project by $700,000 and releasing all contract balances. (City Attorney)

FINALLY PASSED

070598 **[Partial Settlement of Lawsuit - AON Risk Services of New York, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Aon Risk Services of New York, Inc. for $220,000; San Francisco's causes of action against AON were filed on February 15, 2006, and constitute part of the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court; other material terms of said settlement are that San Francisco and AON will execute a mutual release, San Francisco will execute and file dismissals of all claims with prejudice, San Francisco and AON will each bear their own fees and costs of suit, AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation, and the settlement does not constitute an admission of liability regarding any claim. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

070621 **[Declaring a public nuisance]**
Supervisors Dufty, Alioto-Pier

Ordinance amending Article 18 of the San Francisco Public Works Code by adding Section 944 to declare a public nuisance any property located in a underground utility district in which the property owner has refused to comply with an order from the Director of Public Works to install conduits and associated equipment necessary to obtain utility service at a building or structure on the property; amending Section 926 of the Public Works Code to allow the City to recover all costs incurred by the City in connection with abating the public nuisance; amending Sections 900, 915, and 919 through 930 of the Public Works Code consistent with this legislation; and further amending Sections 900, 901, 906, 908 through 911, and 938 of the Public Works Code to make certain technical changes that are necessary to bring those sections up-to-date.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Recommendation of the Land Use and Economic Development Committee

070217 **[Zoning - Interim moratorium on installation of microcell equipment]**
Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Continued to July 31, 2007.
Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070627 **[Public Employment]**
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Controller (CON), Fine Arts Museum (FAM), and Municipal Transportation Agency (MTA-DPT) staffing by decreasing total staffing by 4.00 positions (0.16 FTE).

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070423 **[Contract for the purchase of telecommunications services in excess of $10 Million]**
Ordinance approving a contract with AT&T providing for the purchase of a variety of telecommunications services at a cost in excess of $10 million and waiving certain requirements of the Administrative Code with respect to the contract. (Telecommunications and Information Services)

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070501 **[Adopting Community Choice Aggregation Draft Implementation Plan and Adopting Further Implementation Measures]**
Supervisors Ammiano, Mirkarimi, Daly, Dufty

Ordinance adopting a Community Choice Aggregation Draft Implementation Plan, establishing key aspects of the Community Choice Aggregation Program, and adopting further implementation measures.

(Fiscal Impact; Economic Impact)

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance adopting a Community Choice Aggregation Program Description and Revenue Bond Action Plan and Draft Implementation Plan, establishing key aspects of the Community Choice Aggregation Program, and adopting further implementation measures.

(Fiscal Impact; Economic Impact)

Supervisor Alioto-Pier moved to divide the question relating to "(a) The SFPUC should issue a RFI to solicit input from interested parties regarding the development and implementation of a CCA Program within 20 days of the effective date of the adoption of this ordinance."
Motion to adopt regulations concerning "(a) The SFPUC should issue a RFI to solicit input from interested parties regarding the development and implementation of a CCA Program within 20 days of the effective date of the adoption of this ordinance." passed by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

070777 **[Adopting Community Choice Aggregation Governance Structure]**
Supervisors Mirkarimi, Ammiano, Daly

Ordinance Adopting a Community Choice Aggregation Governance Structure.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070583 **[Authorizing the Municipal Transportation Agency Board of Directors to impose special collections fee to recover actual City collection costs in addition to existing penalties for late citation payments]**
Mayor

Ordinance amending Traffic Code Section 131 establishing a special collections fee to recover City collection costs for late citation payments, and authorizing the Municipal Transportation Agency Board of Directors to impose the special collections fee to recover actual City collection costs in addition to existing penalties for late citation payments.

(Supervisor Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070601 **[Payment of Criminal Justice Reward]**

Ordinance authorizing payment of a $25,000 reward to John Doe for supplying information leading to the arrest and conviction of Joseph Stevens in the shooting deaths of Dernae Wysinger and Naemon Wysinger. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070585 **[Approving the First Amendment to the Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]**
Mayor

Resolution approving the First Amendment to the Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles between the San Francisco Municipal Transportation Agency and TEGSCO, LLC, d.b.a. San Francisco AutoReturn.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Government Audit and Oversight Committee Without Recommendation

070589 **[Harding Park Golf Course--Fee Increase]**
Supervisor McGoldrick

Ordinance amending Section 12.12 of the Park Code to increase fees at the Harding Park golf course by fifteen percent (15%); and to require the Recreation and Park Department to produce a mid-year report on the effect of the increase, and to prepare a three (3) year fiscal viability plan to substantially reduce the General Fund contribution to the golf program.

mment

Supervisor Daly moved to divide the question relating to the regulations concerning raising fees by 15% for residents.
Motion to adopt regulations concerning raising fees by 15% for residents failed by the following vote:
Ayes: 4 - Ammiano, McGoldrick, Mirkarimi, Sandoval
Noes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, Peskin

NOT PASSED ON FIRST READING by the following vote:
Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval
Noes: 6 - Alioto-Pier, Dufty, Elsbernd, Jew, Maxwell, Peskin

Recommendations of the Land Use and Economic Development Committee

070133 **[Limiting exemptions from, and clarifying the scope and collection of, the Transit Impact Development Fee]**
Supervisor McGoldrick

Ordinance (1) amending Chapter 38 of the Administrative Code by (a) amending Sections 38.1 and 38.3, and adding a new Section 38.3-1 to limit the exemption from the current Transit Impact Development Fee (TIDF) for projects for which an application for environmental review or a categorical exemption was submitted on or before April 1, 2004, to instances in which a building or site permit is issued on or before September 4, 2008 and requiring that such exempt projects that would otherwise have been subject to the former TIDF pay a fee on new office space only equivalent to the amount that would have been due under the former TIDF ordinance; (b) amending Section 38.1 to clarify the definitions of "Gross Floor Area" and "Retail/Entertainment;" (c) amending Section 38.3 to correct an unintended exclusion for art spaces; (d) amending Section 38.5 to specify that the TIDF due for a project is based on the fee in effect on the date of payment; and (e) amending Section 38.6 to clarify the circumstances in which a credit for prior eliminated uses is available and make clear that any credit against the amount of the TIDF based on prior use cannot exceed the amount of the TIDF due; and (2) making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

070178 **[Street encroachment for Little Saigon neighborhood entrance at Larkin and Eddy Streets]**
Supervisor Daly

Ordinance granting revocable permission to the Vietnamese Elderly Mutual Assistance Association to occupy a portion of the public right-of-way to construct sidewalk bulb-outs with two (2) 24" x 31" concrete and granite pillars at the northeast and northwest corners of Larkin and Eddy Streets to mark the entry to the Little Saigon neighborhood; waiving permit and right-of-way occupancy assessment fees and General Plan Referral fees; deleting two parking meter zones on Larkin Street to accommodate the encroachment; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070564 [Parking Regulations]
Supervisor Elsbernd

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME – ESTABLISH
Eucalyptus Drive, south side, from the Junipero Serra Boulevard Service Road to 33 feet westerly.

TOW-AWAY, NO PARKING ANYTIME – ESTABLISH
Vicente Street, south side, from Portola Drive to 49 feet westerly; and, (Parking and Traffic Department)

(4/24/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 3349)

Supervisor Elsbernd requested to be added as the sponsor.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

070759 [Appointment, Recreation and Park Commission - Michael Sullivan]
Mayor

Motion approving the Mayor's appointment of Michael Sullivan to the Recreation and Park Commission, for the term ending June 27, 2010.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date – May 16, 2007.)

APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Ammiano welcomed, introduced, and presented a Certificate of Honor to Acting Superintendent of the San Francisco Unified School District, Gwen Chan in recognition of her retirement and outstanding service to the City and County of San Francisco.

Supervisor Jew was noted absent at 4:04 p.m.

SPECIAL ORDER 4:00 P.M.

Supervisors Daly and Dufty were previously excused from voting on the following Files Nos. 070560, 070561, 070562, and 070563.

070560 **[Public Hearing - Appeal of Final Environmental Impact Report for Market and Octavia Neighborhood Plan]**

Hearing of persons interested in or objecting to the Planning Commission's April 5, 2007, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0347E, through its Motion No. 17406, for a proposed Market and Octavia Plan, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, adoption of Urban Design Guidelines, and amendments to the Western Addition A-2 Redevelopment Plan. The Plan area is generally located to the West of the City's Downtown area and includes portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley, and Upper Market Neighborhoods of San Francisco. (Appellants: Martin Hamilton on behalf of New College of California, F. Joseph Butler on behalf of the San Francisco Preservation Consortium and Mary Miles representing the Coalition for Adequate Review.)

(Date Filed: 4/25/07; companion measure to Files 060561, 060562, 060563.)

The President inquired as to whether or not any member of the public wished to address the Board.

Mary Miles, Attorney for the Coalition for Adequate Review Appellant
Stephen Williams; Attorney for the Appellant
Cynthia Servetnick, Representative for the Appellant (New College)

Female speaker; support of appellants
Rob Anderson; support of appellants
Francisco Rivera, support of appellants
Salem McFarreh; support of appellants
Hiroshi Fulcuda; support of appellants
Lavaghn Tabek; support of appellants
Peter Parashis; support of appellants
Allen Martinez, support of appellants
Peter Lewis, support of appellants
Vincent Marsh, support of appellants

Public Hearing was continued to June 19, 2007 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew
Excused: 2 - Daly, Dufty

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070561 **[Affirming certification of Market and Octavia Area Plan FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan.

Continued to June 19, 2007 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew
Excused: 2 - Daly, Dufty

070562 **[Disapproving certification of Market and Octavia Area Plan FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for Market and Octavia Area Plan.

Continued to June 19, 2007 at 3:00 p.m.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew
Excused: 2 - Daly, Dufty

070563 **[Preparation of findings to disapprove certification of the Market and Octavia Area Plan FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan FEIR.

Continued to June 19, 2007 at 3:00 p.m.

CONTINUED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew
Excused: 2 - Daly, Dufty

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President . The President resumed the Chair shortly thereafter.

COMMITTEE REPORTS

070641 **[Gift to City of travel from Chamber of Commerce for 2007 CityTrip]**

Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of $16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Daly, Sandoval

070618 **[Job-Share Program for Legislative Aides]**
Supervisor Alioto-Pier

Motion approving a job-share program for the Board of Supervisors' legislative aides and directing the Clerk of the Board to take the necessary steps to implement the job-share program.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless
Male speaker; expressed concern with issues relating to various San Francisco matters
James Chaffee; expressed concern with issues relating to the San Francisco Public Library
Peter von Wiegandt; opposed Item 58 relating to the taxicab companies and not increasing the number of long-term leases of medallions
Wilma Ping, informed the Board of the Dragon Boat Festival
Walter; showed interest in various issues relating to San Francisco matters
Joe Brenner; supported Item 50 relating to the safeguarding State and Local Governance in Trade Resolution
Eugene Gordon Jr., expressed concern with issues relating to the violations of human rights
Male speaker; expressed concern with issues relating to energy, transportation and equestrian transportation
Bruce Ellison; showed an interest in health care for the homeless
Charles Rathborn; opposed Item 58 relating to the taxicab companies and not increasing the number of long-term leases of medallions
Male speaker; expressed concern with issues relating to conditions in prisons
Robert Bustamante; expressed concern with issues relating to the Living Wage Law
Female speaker; support of Item 52 endorsing Assembly Bill 364 relating to patients being informed of their legal rights to advocacy and patient rights services
Bill Shields;support of Item 52 endorsing Assembly Bill 364 relating to patients being informed of their legal rights to advocacy and patient rights services
Male speaker; expressed issues with the press presence in the halls of City Hall; financial issues at SFGH and supported mobbing legislation
Dr. Porter; expressed concern with issues relating to environmental and toxics in the Bay View Hunters Point area
Patricia Bowden; expressed concern with issues relating to the awareness of the Cal Hallow organization and who are members and why
Mark Blumberg; opposed to Item 58 relating to the taxicab companies and not increasing the number of long-term leases of medallions
Blake Darby; opposed to Item 58 relating to the taxicab companies and not increasing the number of long-term leases of medallions
Michael Patrales; supported Item 57 relating to condemning of government sanctioned violence at the Russian LGBT May 27th demonstration
James Cancini; support of Item 52 endorsing Assembly Bill 364 relating to patients being informed of their legal rights to advocacy and patient rights services
Francisco di Costa; expressed concern with issues relating to toxic and evironmental conditions in the Bayview Hunter Point area
Dave Synder; opposed to Item 58 relating to the taxicab companies and not increasing the number of long-term leases of medallions

Appointment of President Pro Tempore

At the request of the President, Supervisor Elsbernd assumed the Chair.
The President resumed the Chair shortly thereafter.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070855 [Safeguarding State and Local Governance in Trade Resolution]
Supervisor Mirkarimi

Resolution respectfully urging Congress to safeguard domestic regulatory authority and policy space by rejecting any request for renewal of Fast Track Trade Authority, and to create a democratic, inclusive trade negotiating process that includes meaningful consultation with state and local governments and civil society groups.

ADOPTED

070856 [Employee Free Choice Act]
Supervisor Mirkarimi

Resolution in support of the Employee Free Choice Act which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them; provide for first contract mediation and arbitration; and establish meaningful penalties for violations of a worker's freedom to choose a union.

ADOPTED

070857 [Endorsing AB 364]
Supervisor Mirkarimi

Resolution endorsing Assembly Bill 364: the State of California's effort to ensure that all patients in hospitals, nursing homes and supervised nursing facilities are informed of their legal rights related to advocacy and patients rights services, as well as information regarding health and supportive services following hospitalization.

ADOPTED

070858 [Approval of Guiding Principles for Determining the Future of Midtown Park Apartments (1415 Scott Street, San Francisco)]
Supervisor Mirkarimi

Resolution approving the principles that will guide the City and Midtown Park Apartments' residents in formulating a long-term ownership structure and development plan for Midtown Park Apartments, a 140-unit residential development owned by the City and County of San Francisco.

ADOPTED

070859 **[Commending the Churches of Saint Paulus Lutheran and Saint John Coltrane]**
Supervisor Mirkarimi

Resolution commending Saint Paulus Lutheran Church on its rebirth as a church without walls and commending Saint John Coltrane African Orthodox Church for its hospitality in providing worship space for the congregants of St. Paulus.

ADOPTED

070860 **[Accept-Expend State Grant - Criminal Restitution Compact]**
Supervisor Mirkarimi

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to contract for, accept and expend up to $177,077 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2007 through June 30, 2009.

ADOPTED

070861 **[Authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant]**
Supervisor Ammiano

Resolution authorizing the Planning Department to apply for a Workforce Housing Reward Program Grant.

ADOPTED

070862 **[Condemning Government Sanctioned Violence at the Russian LGBT community's May 27th demonstration in Moscow, and Urging the Kremlin and Mayor Yuri Luzkhov to Foster a Culture of Tolerance Toward Russia's LGBT Community]**
Supervisors Ammiano, Dufty

Resolution condemning the government sanctioned violence at the Russian LGBT community's May 27th demonstration in Moscow, and urging the Kremlin and Moscow Mayor Yuri Luzkhov to work toward fostering a culture of tolerance toward the LGBT community in Russian society.

Supervisor Dufty requested to be added as a co-sponsor.
ADOPTED

070865 **[Support for an Open Voting System]**
Supervisor Ammiano

Resolution supporting an investigation into the feasibility of an Open Source voting system in the City of San Francisco which could be funded wholly or in part by grant funds with the support of the Department of Elections staff, and declaring that the City is open to participating in grant applications.

ADOPTED

070866 **[Supporting the Breast Cancer Protection Act of 2007]**
Supervisors Alioto-Pier, Dufty

Resolution supporting the Breast Cancer Patient Protection Act of 2007.

ADOPTED

070867 **[Leavenworth and O'Farrell Streets Traffic Calming]**
Supervisor Daly

Resolution urging the Department of Parking and Traffic (DPT) and Police Department to adopt traffic calming measures at the intersection of Leavenworth and O'Farrell.

ADOPTED

070868 **[Disaster Relief Funding]**
Supervisor Alioto-Pier

Resolution amending all prior Public Assistance, Hazard Mitigation, or Pre-Disaster Mitigation resolutions or any previous legislation pertaining to Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 and/or the California Disaster Assistance Act to reflect the department's name change to the Department of Emergency Management and authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any applications necessary for the purpose of obtaining financial assistance.

ADOPTED

070869 **[Homeland Security Grants]**
Supervisor Alioto-Pier

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under the FY 07 State Homeland Security Program (SHSP) grant, the FY 07 Urban Areas Security Initiative (UASI) grant, the FY 07 Law Enforcement Terrorism Prevention Program (LETPP) grant, the FY 07 Metropolitan Medical Response System (MMRS) grant, the FY 07 Citizen Corps Program (CCP) grant, the FY 07 Buffer Zone Protection Program (BZPP) grant or any other federally funded grant program and Public Law 107-206.

ADOPTED

070870 **[Resolution indicating that the City and County of San Francisco's top Budget Priority is ensuring that HIV/AIDS programs are fully funded despite the lack of support from the Federal Government]**
Supervisors Dufty, Ammiano, Peskin, Mirkarimi

Resolution indicating that the City and County of San Francisco's top Budget Priority is ensuring that HIV/AIDS programs are fully funded despite the lack of support from the Federal Government.

ADOPTED

070795 **[Final Map - 845 Montgomery Street]**
Motion approving Final Map 3995, a 14 Unit Mixed-Use Condominium Project, located at 845 Montgomery Street being a subdivision of Lot 029 in Assessors Block No. 0176 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,859; District 3)

APPROVED

070796 **[Final Map - 1234 Howard Street]**

Motion approving Final Map 4364, a 18 Unit Residential Condominium Project, located at 1234 Howard Street being a subdivision of Lot 014 in Assessors Block No. 3728 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,861; District 6)

APPROVED

070797 **[Final Map - 3065 Clay Street]**

Motion approving Final Map 3608, a 13 Unit Residential Condominium Project, located at 3065 Clay Street being a subdivision of Lots 033 - 044 in Assessors Block No. 1005 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No.176,842; District 2)

APPROVED

070798 **[Final Map - 601 King Street / 830 7th Street]**

Motion approving Final Map 3289, a 224 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 601 King Street / 830 7th Street being a subdivision of Lot 001, 002 in Assessors Block No. 3800 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,837; District 6)

APPROVED

070799 **[Final Map - 300 Spear Street]**

Motion approving Final Map 3683, a 826 Unit Residential and Commercial Mixed-Use Condominium Project, located at 300 Spear Street being a subdivision of Lot 001 in Assessors Block No. 3745 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,868; District 6)

APPROVED

070835 **[Final Map - 1300 Eddy Street]**

Motion approving Final Map 3610, a 30 Lot Subdivision Project, located at 1300 Eddy Street being a subdivision of Lot 002 in Assessors Block No. 0733 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,882; District No. 5)

APPROVED

070837 **[Final Map - 399 Fremont Street]**

Motion approving Final Map 4181, a 432 Unit Residential Condominium Project, located at 399 Fremont Street being a subdivision of Lot 001E, 002, 006 in Assessors Block No. 3747 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,886; District No. 6)

APPROVED

070804 **[Committee of the Whole - Health service reductions (Beilenson Hearing) June 19, 2007 at 3:30 p.m.]**
Supervisor Peskin

Motion scheduling the Board to sit as a Committee of the Whole to consider health service reductions (Beilenson Hearing), to be held on June 19, 2007 at 3:30 p.m.

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew

Severed from Adoption without Committee Reference

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

070864 **[Commending Gwen Chan for her service to the City in her capacity as acting Superintendent of the San Francisco Unified School District]**
Supervisors Ammiano, Elsbernd, Dufty

Resolution commending Gwen Chan for her service to the City in her capacity as acting Superintendent of the San Francisco Unified School District.

Supervisor Elsbernd requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Jew

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

070754 **[Urging environmental analysis of water supply alternatives that will not increase diversions of freshwater from the Tuolumne River and urging active implementation of conservation and recycled water programs]**
Supervisors Maxwell, Peskin, McGoldrick, Mirkarimi, Ammiano

Resolution urging the San Francisco Planning Department to fully analyze a water supply alternative in the Program Environmental Impact Report that will not result in increased diversions of freshwater from the Tuolumne River and urging the San Francisco Public Utilities Commission to undertake and implement water conservation and recycled water programs.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew

Resolution urging the San Francisco Planning Department to fully analyze a water supply alternative in the Program Environmental Impact Report that will not result in increased diversions of freshwater from the Tuoumne River and urging the San Francisco Public Utilities Commission to undertake and implement water conservation and recycled water programs.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

070863 **[Urging Taxicab companies not to increase the number of long-term leases of medallions]**
Supervisor Ammiano

Resolution urging taxicab companies not to increase the number of long-term leases of taxicab medallions or taxicabs in their fleets, urging the Taxi Commission to strictly enforce Ordinances and Regulations requiring Proposition K medallion holders to drive the taxicab permitted under their medallion and providing that the Board of Supervisors shall consider regulation of long-term leasing.

Supervisor Ammiano requested that this matter be referred to Committee.
REFERRED.

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

070836 **[Final Map - 445-701 Wawona Street]**
Motion approving Final Map 4184, a 8 Lot Subdivision Project, located at 445-701 Wawona Street being a subdivision of Lot 008 in Assessors Block No. 2540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,885; District No. 7)

Continued to June 19, 2007.
CONTINUED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

070788 **[Amendment to Contract with Geomatrix Consultants, Inc.]**
Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute an amendment to the contract with Geomatrix Consultants, Inc. to extend the term through June 30, 2008, to modify the scope of services, and to increase the contract by an amount not to exceed $180,000 for a new total amount not to exceed $1,277,000 for environmental consulting services. (Treasure Island Development Authority)
6/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070793 **[Lease of Real Property at 3801 Third Street, Suite 600]**
Resolution authorizing the lease of 10,740 square feet of space at 3801 Third Street, Suite 600, for the San Francisco Public Utilities Commission (SFPUC), Wastewater Collection System Division. (Real Estate Department)
6/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070830 **[Official Advertising - Type 1 consecutive-day official advertising]**

Resolution designating the Examiner as the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive-day official advertising, from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

6/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070831 **[Official Advertising - Type 2 non-consecutive day official advertising]**

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

6/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070832 **[Outreach Advertising - Outreach newspapers]**

Resolution designating El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; and, the Asian Week to be the outreach newspaper of the City and County of San Francisco for the Chinese Community, to provide outreach advertising services from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

6/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:25 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

VOTES

MEETING MINUTES - DRAFT

DOCUMENTS DEPT.
JUN 21 2007
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, June 19, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier	1st and 3rd Mondays 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On the call of the roll Supervisor Daly was noted absent.

There was a quorum.

Supervisor Daly was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of May 15, 2007 and May 16, 2007, a Special Board of Supervisors Meeting of the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070627 [Public Employment]
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Controller (CON), Fine Arts Museum (FAM), and Municipal Transportation Agency (MTA-DPT) staffing by decreasing total staffing by 4.00 positions (0.16 FTE).

FINALLY PASSED

070423 [Contract for the purchase of telecommunications services in excess of $10 Million]
Ordinance approving a contract with AT&T providing for the purchase of a variety of telecommunications services at a cost in excess of $10 million and waiving certain requirements of the Administrative Code with respect to the contract. (Telecommunications and Information Services)

(Fiscal Impact.)

FINALLY PASSED

070583 **[Authorizing the Municipal Transportation Agency Board of Directors to impose special collections fee to recover actual City collection costs in addition to existing penalties for late citation payments]**
Mayor

Ordinance amending Traffic Code Section 131 establishing a special collections fee to recover City collection costs for late citation payments, and authorizing the Municipal Transportation Agency Board of Directors to impose the special collections fee to recover actual City collection costs in addition to existing penalties for late citation payments.

(Supervisor Daly dissented in committee.)

FINALLY PASSED

070601 **[Payment of Criminal Justice Reward]**
Ordinance authorizing payment of a $25,000 reward to John Doe for supplying information leading to the arrest and conviction of Joseph Stevens in the shooting deaths of Dernae Wysinger and Naemon Wysinger. (Mayor)

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

070178 **[Street encroachment for Little Saigon neighborhood entrance at Larkin and Eddy Streets]**
Supervisor Daly

Ordinance granting revocable permission to the Vietnamese Elderly Mutual Assistance Association to occupy a portion of the public right-of-way to construct sidewalk bulb-outs with two (2) 24" x 31" concrete and granite pillars at the northeast and northwest corners of Larkin and Eddy Streets to mark the entry to the Little Saigon neighborhood; waiving permit and right-of-way occupancy assessment fees and General Plan Referral fees; deleting two parking meter zones on Larkin Street to accommodate the encroachment; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

FINALLY PASSED

Recommendation of the Rules Committee

070794 **[Appointment - San Francisco Health Authority]**
Resolution appointing Grant Davies, term ending January 15, 2009, to the San Francisco Health Authority; residency requirement waived.

Grant Davies, succeeding John Williams, term expired, seat 4, must be Senior Manager of St. Luke's Hospital, for the unexpired portion of a three-year term ending January 15, 2009.

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

070501 [Adopting Community Choice Aggregation Draft Implementation Plan and Adopting Further Implementation Measures]
Supervisors Ammiano, Mirkarimi, Daly, Dufty

Ordinance adopting a Community Choice Aggregation Program Description and Revenue Bond Action Plan and Draft Implementation Plan, establishing key aspects of the Community Choice Aggregation Program, and adopting further implementation measures.

(Fiscal Impact; Economic Impact)

Supervisor Alioto-Pier moved to divide the question relating to "(a) The SFPUC should issue a RFI to solicit input from interested parties regarding the development and implementation of a CCA Program within 20 days of the effective date of the adoption of this ordinance."
Motion to adopt regulations concerning "(a) The SFPUC should issue a RFI to solicit input from interested parties regarding the development and implementation of a CCA Program within 20 days of the effective date of the adoption of this ordinance." passed by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin Sandoval

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

070777 [Adopting Community Choice Aggregation Governance Structure]
Supervisors Mirkarimi, Ammiano, Daly

Ordinance Adopting a Community Choice Aggregation Governance Structure.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

070133 [Limiting exemptions from, and clarifying the scope and collection of, the Transit Impact Development Fee]

Supervisor McGoldrick

Ordinance (1) amending Chapter 38 of the Administrative Code by (a) amending Sections 38.1 and 38.3, and adding a new Section 38.3-1 to limit the exemption from the current Transit Impact Development Fee (TIDF) for projects for which an application for environmental review or a categorical exemption was submitted on or before April 1, 2004, to instances in which a building or site permit is issued on or before September 4, 2008 and requiring that such exempt projects that would otherwise have been subject to the former TIDF pay a fee on new office space only equivalent to the amount that would have been due under the former TIDF ordinance; (b) amending Section 38.1 to clarify the definitions of "Gross Floor Area" and "Retail/Entertainment;" (c) amending Section 38.3 to correct an unintended exclusion for art spaces; (d) amending Section 38.5 to specify that the TIDF due for a project is based on the fee in effect on the date of payment; and (e) amending Section 38.6 to clarify the circumstances in which a credit for prior eliminated uses is available and make clear that any credit against the amount of the TIDF based on prior use cannot exceed the amount of the TIDF due; and (2) making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

NEW BUSINESS

Recommendations of the Government Audit and Oversight Committee

Supervisor Elsbernd Excused From Voting

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Elsbernd, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

070715 [Unrepresented Employees]

Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

Supervisor Elsbernd Excused From Voting

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Elsbernd, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

070720 **[MOU, Amendment No. 1 - Municipal Executives' Association, AFL-CIO]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, AFL-CIO, relating to Management Training Funds.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

070716 **[MOU, Amendment No. 1 - SEIU, Locals 535, 790 and United Healthcare Workers - West]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West, relating to certain wages, hours, and working conditions.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070717 **[MOU, Amendment No. 1 - International Brotherhood of Electrical Workers, Local Union 6, AFL-CIO]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, by amending the parties' agreement with respect to certain wages, hours, and working conditions.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070718 **[MOU, Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.)]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070719 **[MOU, Amendment No. 1 - Laborers International Union, Local No. 261]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, by amending the parties' agreement to allocate funds related to programs for Environmental Service Workers.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070721 **[MOU, San Francisco Police Officers' Association (SFPOA)]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

RE-REFERRED to the Public Safety Committee by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Elsbernd, Jew, McGoldrick

070722 **[MOU, SEIU, Local 790 Staff & Per Diem Nurses]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 Staff & Per Diem Nurses, to be effective July 1, 2007 through June 30, 2010.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070673 **[Contract with Owner's Association for administration/management of Central Market Community Benefit District]**
Supervisor Daly

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Central Market Community Benefit District," pursuant to Section 36651 of the Streets and Highways Code.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070732 **[2500 Block of Mission Street Business Improvement District Annual Reports to the City]**
Supervisor Ammiano

Resolution regarding 2500 Block of Mission Street Business Improvement District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 539-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070733 **[Castro/Upper Market Community Benefit District Annual Reports to the City; making assessment formulas the same for all District residential property]**
Supervisor Dufty

Resolution regarding Castro/Upper Market Community Benefit District annual reports to the City, and making assessment formulas the same for all District residential property: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 582-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; providing that all residential property be assessed by the same lot size and linear frontage formula, receiving and approving the District Assessment Engineer's Report in support, and authorizing conforming amendments and administrative clarifications to the District's management plan and management contract; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070734 **[Fisherman's Wharf Community Benefit District Annual Reports to the City]**
Supervisor Peskin

Resolution regarding Fisherman's Wharf Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 540-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070735 **[Noe Valley Community Benefit District Annual Reports to the City]**
Supervisor Dufty

Resolution regarding Noe Valley Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 583-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070736 **[North of Market/Tenderloin Community Benefit District Annual Reports to the City]**
Supervisor Daly

Resolution regarding North of Market/Tenderloin Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 584-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070737 [Union Square Business Improvement District Annual Reports to the City]
Supervisor Peskin

Resolution regarding Union Square Business Improvement District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution renewing the District (Resolution No. 798-03) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA independent audit to instead require a CPA independent audit upon request of the City, to acknowledge that the Mayor's Office of Economic and Workforce Development is the successor to the Mayor's Office of Public Finance and Business Affairs, and authorizing amendment of the District's written agreements (contracts) with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to California Streets and Highways Code §36650.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070838 [Contract with Owners' Association for administration/management of Fisherman's Wharf Portside Community Benefit District]
Supervisor Peskin

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the business-based business improvement district known as the "Fisherman's Wharf Portside Community Benefit District," pursuant to Section 36651 of the Streets and Highways Code.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

070411 [Requiring the City to give public notice of the termination or expiration of a lease from the School District to the City, when the City has used the leased property in a manner directly serving the public]
Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 23.28, to require the City to give public notice of the termination or expiration of a lease of property from the San Francisco Unified School District to the City, when the City has used the property under the lease in a manner directly serving the public.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070130 **[Establishing the Children's Collaborative Task Force]**
Supervisors Alioto-Pier, Ammiano

Resolution establishing the Children's Collaborative Task Force to 1) promote dialogue among parents, educators, and the public, 2) identify and develop collaborative means to address issues shared by San Francisco's public, private, and parochial schools, and 3) advise the Board of Supervisors on policies to ensure that all children in San Francisco have equal and equitable access to exceptional educational and cultural resources.

Amended on page 4, line 15, by adding "Further Provided, That the Task Force shall establish at least three subcommittees, for private schools, public schools, and parochial schools, respectively, each made up of the task Force members appointed from that sector, which sub-committees shall meet at least quarterly and shall be charged with outreach to schools and the community; and further amended on page 2, line 16, after "Public School Representation" by replacing "six (6)" with "eight (8)."

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070084 **[Shelter Monitoring Committee]**
Supervisors Mirkarimi, Ammiano

Ordinance amending sections 20.302, 20.303, 20.304, and 20.312 of the San Francisco Administrative Code to: 1) require the Department of Public Health to provide administrative support for the Shelter Monitoring Committee; 2) broaden the purpose of the Shelter Monitoring Committee by authorizing it to assess City policies that affect shelter clients; 3) require Committee members to keep certain information confidential; 4) designate divisions within the Department of Human Services and the Department of Public Health from which Committee members may be appointed; 5) require City departments to respond to reasonable requests for information from the Shelter Monitoring Committee within 15 days, and 6) eliminate the Committee's obligation to prepare annual reports with the Local Homeless Coordinating Board.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070698 **[Reappointment, Entertainment Commission]**

Motion approving the Mayor's nomination for reappointment of Audrey Joseph to the Entertainment Commission, for the term ending July 1, 2011.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Supervisors Daly and Dufty were previously excused from voting on this matter.

070560 **[Public Hearing - Appeal of Final Environmental Impact Report for Market and Octavia Neighborhood Plan]**

Hearing of persons interested in or objecting to the Planning Commission's April 5, 2007, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0347E, through its Motion No. 17406, for a proposed Market and Octavia Plan, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, adoption of Urban Design Guidelines, and amendments to the Western Addition A-2 Redevelopment Plan. The Plan area is generally located to the West of the City's Downtown area and includes portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley, and Upper Market Neighborhoods of San Francisco. (Appellants: Martin Hamilton on behalf of New College of California, F. Joseph Butler on behalf of the San Francisco Preservation Consortium and Mary Miles representing the Coalition for Adequate Review.)

(Date Filed: 4/25/07; companion measure to Files 060561, 060562, 060563.)

Marilyn Amini, in support of appellant
John Bardis, in support of appellant
Mark Paez, in support of appellant
Tamara Colby, in support of appellant
Gee Gee Platt, in support of appellant

Paul Maltzer and Bill Wycko, Representatives of the Planning Department, reviewed with the Board the Planning Department's recommendation.

Howard Strassner, in support of project
Christopher Peterson, in support of project
Chris Bolling, in support of project
Adam, in support of project
Jason Henderson, in support of project
John Nesbitt, in support of project
Tim Colen, in support of project
Paul Olsen, in support of project
Robert Levitt, in support of project
Steve Vettel, in support of project
Ali, in support of project
Sylvia Johnson, in support of project

Rebuttal:
Stephen Williams, Attorney for the Appellant
Cynthia Servetnick, Representative for the Appellant (New College)
Mary Miles, Attorney for the Coalition for Adequate Review, was not present for the rebuttal period of the hearing.

The President declared the public hearing closed.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070561 **[Affirming certification of Market and Octavia Area Plan FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Excused: 2 - Daly, Dufty

070562 **[Disapproving certification of Market and Octavia Area Plan FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for Market and Octavia Area Plan.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Excused: 2 - Daly, Dufty

070563 **[Preparation of findings to disapprove certification of the Market and Octavia Area Plan FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan FEIR.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick
Excused: 2 - Daly, Dufty

SPECIAL ORDER 3:00 P.M.

070842 **[Hearing - Disposition and Development Agreement - Redevelopment Agency Owned Land for Armstrong Place]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5421, Lots 3, 5, 6, 7, 8, 9, and 11 commonly known as Armstrong Place (or 5600 Third Street), to BRIDGE Tower, L.L.C., for the purpose developing affordable for-sale housing for lower income households. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board.

Olsen Lee, Redevelopment Agency Representative, reviewed with the Board the Disposition and Development Agreement for Redevelopment Agency owned land for Armstrong Place.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Adjourn and Report Without Recommendation

070843 **[Disposition and Development Agreement - Redevelopment Agency Owned Land for Armstrong Place]**
Supervisor Maxwell

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5421, Lots 3, 5, 6, 7, 8, 9, and 11 commonly known as Armstrong Place (or 5600 Third Street), to BRIDGE Tower, L.L.C., for the purpose developing affordable for-sale housing for lower income households.

(Fiscal Impact.)

ADOPTED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Peskin, Sandoval
Noes: 2 - Daly, Mirkarimi
Absent: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor McGoldrick was noted absent at 5:23 p.m.
Supervisor Daly was noted absent at 5:35 p.m.

070805 **[Committee of the Whole - Beilenson Hearing - June 19, 2007 at 3:30 p.m.]**

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Beilenson Hearing)

The President inquired as to whether any member of the public wished to address the Board.
Individuals requested that funding be restored to various programs which have been deleted in the proposed 2007-2008 Mayor's Budget.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano introduced, welcomed and presented Certificates of Honor to Carla Johnson, Jenny Olson and Rink, members of the Lesbian, Gay, Bisexual, Transgender Community (LGBT) in recognition of June Gay Pride Month.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Ira Hirschfield, President and Trustee of the Evelyn & Walter Haas, Jr. Fund in recognition of their generosity to the City and County of San Francisco.

Supervisor Peskin introduced, welcomed and acknowledged the efforts of Private Security Officers.

COMMITTEE REPORTS

070723 **[State contract funds for substance abuse treatment]**
Mayor

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH-CBHS) to enter into a Combined Net Negotiated Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2007 through June 30, 2010 in the amount of $55,825,476 and for the term of July 1, 2007 through June 30, 2008 in the amount of $18,608,492 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the Director of CBHS to sign said Agreement and to approve amendments for less than ten percent (10%) of the contracted amount.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070631 **[Settlement of Lawsuit - U.S. Airways, Inc.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for the settlement of the unlitigated bankruptcy claim between the Airport and the execution of future Airport leases with US Airways, Inc. with regard to In re: US Airways, Inc. et al., Debtors, Case No. 04-12819 SSM, United States Bankruptcy Court for the District of Virginia; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal) (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070647 **[Settlement of Lawsuit - Teri Rouse]**

Ordinance authorizing settlement of the lawsuit filed by Teri Rouse against the City and County of San Francisco for $30,000; the lawsuit was filed on November 10, 2005 in San Francisco Superior Court, Case No. 446-497; entitled Teri Rouse, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070700 **[Settlement of Claim Against Sprint/Nextel]**

Ordinance authorizing settlement of a claim by the City and County of San Francisco against the Sprint/Nextel Corporation for funding the planning for reconfiguration of the City's 800 MHz Radio Communications System. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070747 **[Settlement of Lawsuit - Colonial American Casualty and Surety Company and Competent Builders, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by Colonial American Casualty and Surety Company and Competent Builders, Inc., against the City and County of San Francisco, for payment to the City of $450,000; the lawsuit was filed on October 9, 2002 in San Francisco Superior Court, Case No. CGC 02-413272; entitled Division of Labor Standards Enforcement v. Colonial American Casualty and Surety Company, et al; other material terms of said settlement are payment by Competent Builders, Inc., and other parties, to Colonial American Casualty and Surety Company, and full releases among all parties. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070766 **[Settlement of Lawsuit - Northwest Airlines Corporation, et al.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Northwest Airlines Corporation, et al., Debtors, Case No. 05-17930ALG, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070767 **[Settlement of Lawsuit - Delta Air Lines Inc., et al.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Delta Air Lines Inc., et al., Debtors, Case No. 05-17923PCB, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070770 **[Interim Government Funding, Fiscal Year 2007-2008]**

Mayor

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2008.

Administrative Provisions were amended. (See File For Details)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070771 **[Interim Public Employment, Fiscal Year 2007-2008]**
Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Ordinance be PASSED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070825 **[Redevelopment Agency Budget]**

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-2008. (Redevelopment Agency)

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070839 **[Treasure Island Development Authority Interim Budget]**
Mayor

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2007-2008.

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to homelessness
James Chaffee; expressed concern with issues relating to the SF Public Library
Sylvia Johnson; expressed concern with issues relating to health programs

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070836 **[Final Map - 445-701 Wawona Street]**

Motion approving Final Map 4184, a 8 Lot Subdivision Project, located at 445-701 Wawona Street being a subdivision of Lot 008 in Assessors Block No. 2540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,885; District No. 7)

APPROVED

070891 **[Grant to fund a project through the HIV Epidemiology Section of the Department of Public Health]**
Supervisor Ammiano

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of $19,601 from the Global Fund to Fight AIDS, Tuberculosis and Malaria through the Regents of the University of California to fund the Triangulation Resource Guide, and to enter into an agreement for the use of these funds; for the period of September 1, 2006 through June 3, 2007.

ADOPTED

070893 **[Commending Thomas E. Margro]**
Supervisor Peskin

Resolution commending Thomas E. Margro, General Manager of BART.

ADOPTED

070894 [Private Security Officers]
Supervisors Peskin, Elsbernd

Resolution encouraging security contractors and building owners to come to the bargaining table with the single purpose to improve industry standards by providing adequate training and increased wages and benefits for private security officers.

Supervisor Elsbernd requested to be added as a co-sponsor.
ADOPTED

070895 [State grant to support environmental health through the Weights and Measures program]
Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $8,250 from the California Department of Food and Agriculture (CDFA) supporting two programs, the Petroleum Products Compliance Program and the Weighmaster Enforcement Program; for the period of July 1, 2007 through June 30, 2008.

ADOPTED

070896 [Support "It's OUR Healthcare" principles]
Supervisor Mirkarimi

Resolution in support of the joint Labor and "It's OUR Healthcare" principles developed by a coalition of community, clergy, labor and healthcare organizations and supporting those principles as a means to achieving affordable, quality health care for all working Californians.

ADOPTED

070897 [State grants to support environmental health projects]
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend two grants totaling $4,948.18, one from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2007 through June 30, 2008.

ADOPTED

070898 [Zoning - Extension of Planning Commission review period]
Supervisor Maxwell

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Section 319.2 and 319.3 of the Visitation Valley Community Facilities and Infrastructure Fee and Fund ordinance to set a lower fee level of $3.00 per square foot for principally permitted projects that do not require material General Plan, Planning Code or Zoning Map amendments.

ADOPTED

070899 **[Extending the Asthma Task Force Membership to June 30, 2008]**
Supervisor Maxwell

Resolution extending the Asthma Task Force Membership to June 30, 2008.

ADOPTED

070900 **[Urging the City College of San Francisco Registered Nursing Program to adopt a residency requirement]**
Supervisors Mirkarimi, Elsbernd

Resolution urging that the City College of San Francisco Registered Nursing Program petition the Board of Governors pursuant to Education Code § 78032(a)(3) to allow the adoption of a residency requirement giving preferential admission to San Francisco residents.

Supervisor Elsbernd requested to be added as a co-sponsor.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

Severed from the Without Reference to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

070892 **[Directing City Staff to report on actions to restrict Bisphenol-A in children's products]**
Supervisor Alioto-Pier

Resolution directing San Francisco's Department of Health and Department of the Environment to submit a report with recommendations on potential actions that can be adopted to address risks to public health from exposure to Bisphenol-A and to base that report on the findings of a National Institute of Health review panel along with the concerns of representatives of the scientific and children's health communities.

Continued to June 26, 2007.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

070916 **[Honoring Mabel D. Borjal]**
Supervisor Daly

Resolution to recognize the valuable contributions of Mabel D. Borjal and her 31 years of dedicated service.

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

070852 **[Contract funds to support the STOP AIDS Project]**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement with the STOP AIDS Project and expend funds in the amount of $28,410; for the period of September 1, 2006, through August 31, 2008. (Public Health Department)

6/7/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070853 **[Airport Concession Lease]**

Resolution approving the Terminal 3 Newsstands and Specialty Store Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

6/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070854 **[Airport Concession Lease]**

Resolution approving the Technology Products Stores Lease between ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

6/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070873 **[Lease of Real Property]**

Resolution authorizing extension of a lease of real property at 617 Mission Street and 101 New Montgomery Street for the Department of Child Support Services. (Real Estate Department)

6/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070875 **[Lease of Real Property at 650 Fifth Street, Suite 307-309]**

Resolution authorizing the Lease of 3,060 square feet of space at 650 Fifth Street, Suites 307-309, for the Department of Public Health's Jail Health Services. (Real Estate Department)

6/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:40 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES - DRAFT

VOTES

DOCUMENTS DEPT.
JUN 28 2007
SAN FRANCISCO
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Tuesday, June 26, 2007 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

SF
S90
#67
6/26/07

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Kay Gulbengay, Interim Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd	Wednesday 1:00 PM
City and School District Select Committee Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Alioto-Pier, Jew	2nd and 4th Thursday 1:00 PM
Government Audit and Oversight Committee Supervisors Elsbernd, Alioto-Pier	1st and 3rd Mondays 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Sandoval, McGoldrick	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Maxwell, Dufty	2nd and 4th Monday 10:00 AM
Rules Committee Supervisors Ammiano, Elsbernd, Peskin	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes of May 22, 2007. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

070529 **[Gift of Equipment to Fire Department]**

Resolution authorizing the San Francisco Fire Department to accept a gift of a 1988 GMC flatbed truck with a lift hoist valued at $14,779 from the Pacific Gas and Electric Company for emergency preparedness, training, public safety and related purposes. (Fire Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070624 [Apply for, Accept and Expend State Grant - Department of the Environment]
Supervisor Maxwell

Resolution authorizing the Department of the Environment to apply for, accept and expend grant funds, available only for public agencies in California, in the amount of $361,553 from the California Air Resources Board (CARB) for the purpose of purchasing low-polluting construction equipment and retrofitting existing construction equipment with pollution control devices.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070626 [Grant to support the Public Health Laboratory Director Training Program]
Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Health Services, Division of Communicable Disease Control for the Public Health Laboratory Director Training Program, in the amount of $300,655, for the period of April 1, 2007 through March 31, 2009.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070629 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)]
Mayor, Supervisor Ammiano

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,550,932 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA) – for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2007 to June 30, 2008.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070850 [Accept and Expend State Grant - Department of the Environment]
Mayor

Resolution authorizing the Department of the Environment to accept and expend grant funds, available only for public agencies in California, in the amount of $110,880 from the California Air Resources Board for the purpose of upgrading Compressed Natural Gas (CNG) fueling stations at Cesar Chavez and Golden Gate Park.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070716 **[MOU, Amendment No. 1 - SEIU, Locals 535, 790 and United Healthcare Workers - West]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West, relating to certain wages, hours, and working conditions.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070717 **[MOU, Amendment No. 1 - International Brotherhood of Electrical Workers, Local Union 6, AFL-CIO]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, by amending the parties' agreement with respect to certain wages, hours, and working conditions.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070718 **[MOU, Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.)]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070719 **[MOU, Amendment No. 1 - Laborers International Union, Local No. 261]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, by amending the parties' agreement to allocate funds related to programs for Environmental Service Workers.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070722 **[MOU, SEIU, Local 790 Staff & Per Diem Nurses]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 Staff & Per Diem Nurses, to be effective July 1, 2007 through June 30, 2010.

(Fiscal Impact.)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

070411 **[Requiring the City to give public notice of the termination or expiration of a lease from the School District to the City, when the City has used the leased property in a manner directly serving the public]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 23.28, to require the City to give public notice of the termination or expiration of a lease of property from the San Francisco Unified School District to the City, when the City has used the property under the lease in a manner directly serving the public.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070084 **[Shelter Monitoring Committee]**
Supervisors Mirkarimi, Ammiano

Ordinance amending sections 20.302, 20.303, 20.304, and 20.312 of the San Francisco Administrative Code to: 1) require the Department of Public Health to provide administrative support for the Shelter Monitoring Committee; 2) broaden the purpose of the Shelter Monitoring Committee by authorizing it to assess City policies that affect shelter clients; 3) require Committee members to keep certain information confidential; 4) designate divisions within the Department of Human Services and the Department of Public Health from which Committee members may be appointed; 5) require City departments to respond to reasonable requests for information from the Shelter Monitoring Committee within 15 days, and 6) eliminate the Committee's obligation to prepare annual reports with the Local Homeless Coordinating Board.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070631 **[Settlement of Lawsuit - U.S. Airways, Inc.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for the settlement of the unlitigated bankruptcy claim between the Airport and the execution of future Airport leases with US Airways, Inc. with regard to In re: US Airways, Inc. et al., Debtors, Case No. 04-12819 SSM, United States Bankruptcy Court for the District of Virginia; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal) (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070647 **[Settlement of Lawsuit - Teri Rouse]**

Ordinance authorizing settlement of the lawsuit filed by Teri Rouse against the City and County of San Francisco for $30,000; the lawsuit was filed on November 10, 2005 in San Francisco Superior Court, Case No. 446-497; entitled Teri Rouse, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070700 **[Settlement of Claim Against Sprint/Nextel]**

Ordinance authorizing settlement of a claim by the City and County of San Francisco against the Sprint/Nextel Corporation for funding the planning for reconfiguration of the City's 800 MHz Radio Communications System. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070747 **[Settlement of Lawsuit - Colonial American Casualty and Surety Company and Competent Builders, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by Colonial American Casualty and Surety Company and Competent Builders, Inc., against the City and County of San Francisco, for payment to the City of $450,000; the lawsuit was filed on October 9, 2002 in San Francisco Superior Court, Case No. CGC 02-413272; entitled Division of Labor Standards Enforcement v. Colonial American Casualty and Surety Company, et al; other material terms of said settlement are payment by Competent Builders, Inc., and other parties, to Colonial American Casualty and Surety Company, and full releases among all parties. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070766 **[Settlement of Lawsuit - Northwest Airlines Corporation, et al.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Northwest Airlines Corporation, et al., Debtors, Case No. 05-17930ALG, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070767 **[Settlement of Lawsuit - Delta Air Lines Inc., et al.]**

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Delta Air Lines Inc., et al., Debtors, Case No. 05-17923PCB, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

070770 **[Interim Government Funding, Fiscal Year 2007-2008]**
Mayor

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2008.

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly, seconded by Supevisor Mirkarimi, moved to rescind the previous vote.
Motion to rescind the previous vote passed without objection.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070771 **[Interim Public Employment, Fiscal Year 2007-2008]**
Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal Impact.)

FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly, seconded by Supevisor Mirkarimi, moved to rescind the previous vote.
Motion to rescind the previous vote passed without objection.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

Recommendations of the Government Audit and Oversight Committee

070715 **[Unrepresented Employees]**
Mayor, Supervisor McGoldrick

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2007.

(Fiscal Impact.)

Supervisor Elsbernd was previously excused from voting on this matter.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

070720 **[MOU, Amendment No. 1 - Municipal Executives' Association, AFL-CIO]**
Mayor

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, AFL-CIO, relating to Management Training Funds.

Supervisor Elsbernd was previously excused from voting on this matter.

FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070830 **[Official Advertising - Type 1 consecutive-day official advertising]**

Resolution designating the Examiner and the Chronicle as the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive-day official advertising, from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070831 **[Official Advertising - Type 2 non-consecutive day official advertising]**

Resolution designating the Examiner and the Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

070832 **[Outreach Advertising - Outreach newspapers]**

Resolution designating El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; and, the Asian Week, China Press, World Journal, and Sing Tao to be the outreach newspapers of the City and County of San Francisco for the Chinese Community, to provide outreach advertising services from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070883 [Outreach Advertising]
Supervisor Dufty

Resolution designating The Bay Area Reporter and The San Francisco Bay Times to be the outreach newspapers of the City and County of San Francisco for the Lesbian, Gay, Bisexual, Transgender Community, to provide outreach advertising services from July 1, 2007 through June 30, 2008.

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070834 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]
Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: convention facilities management, central shops security, janitorial and security services (Administrative Services); body removal services (Medical Examiner); budget analyst (Board of Supervisors); security services (Public Works); community services (District Attorney); security services (Human Services Agency); Project S.A.F.E. (Police); and jail food services (Sheriff).

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070886 [Proposition J Contract/Certification of specified contracted-out services previously approved for Juvenile Probation]
Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for shelter and intake services at the Department of Juvenile Probation

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

070452 [Minor Sidewalk Encroachments - Public right-of-way occupancy assessment fee]
Supervisor Alioto-Pier

Ordinance amending Public Works Code Section 723.2 to clarify that the public right-of-way occupancy assessment fee for minor sidewalk encroachments applies to specified building permits and to all subsidewalk basements.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070042 **[Liquor License Transfer, 1369 Folsom Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 289 8th Street to 1369 Folsom Street (District 6) to John Gardiner and Joseph Banks for the Hole in the Wall Saloon will will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

061537 **[Repeal of Planning Commission alternative review process]**

Supervisor Peskin

Ordinance amending Planning Code Section 306 and Administrative Code Sections 2A.53 and 31.04 to repeal provisions that are void by their own terms and concern an alternative review process if the Planning Commission were unable to meet because a majority of its members has not been nominated, approved, and sworn in to office.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070628 **[Describing the Limits on the Redevelopment Agency's Use of Eminent Domain to Acquire Real Property in Existing Redevelopment Plan Project Areas]**

Mayor, Supervisor Peskin

Ordinance describing the limits in existing redevelopment plans on acquisition of real property by the Redevelopment Agency of the City and County of San Francisco through the use of eminent domain, in compliance with a new requirement of the California Community Redevelopment Law.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070681 **[Zoning - Pacific Avenue Individual Area Neighborhood Commercial District]**

Supervisor Peskin

Ordinance adding Planning Code Sections 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070764 **[Changing Official Sidewalk Width - Jessie Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1574 to change the official sidewalk width on the northerly side of Jessie Street westerly of Ecker Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modifications, or both of facilities affected by the sidewalk width change. (Public Works Department)

Supervisor McGoldrick requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

070270 **[Charter Amendment - Limiting hold-over service by members of City boards and commissions]**
Supervisors McGoldrick, Ammiano

Charter amendment (First Draft) to add Section 4.101.5 to limit hold-over service by members of City boards and commissions whose terms have expired.

Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070677 **[Requiring the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for public hearing]**
Supervisors Elsbernd, Peskin, McGoldrick, Alioto-Pier, Maxwell

Charter amendment (First Draft) to amend Sections 2.113 and 3.100 to require the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for a public hearing.

Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070939 **[Prior Board review of initiatives submitted by the Mayor or four or more members of the Board of Supervisors; limiting hold-over service by members of City boards and commissions]**

Charter amendment (First Draft) to amend Sections 2.113 and 3.100 to require the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for a public hearing, and to add Section 4.101.5 to limit hold-over service by members of City boards and commissions whose terms have expired.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to combine File No. 070270 and File No. 070677 to create File No. 070939.

Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 3:22 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:30 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 8

Supervisors Ammiano and Dufty were noted present at 3:34 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd welcomed, introduced, and presented a Certificate of Honor to Lieutenant Thomas Catchings of the Sheriff's Department, on the occasion of his retirement. Sheriff Michael Hennessey thanked the Board and commended Lt. Catchings.

Supervisor Peskin welcomed, introduced, and presented Certificates of Honor to Scott Shaw and Nelson Wong, Department of Public Works, on the occasion of their retirement.

Recess

The Board recessed at the hour of 3:37 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:01 p.m.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval - 9

Supervisor McGoldrick was noted present at 4:06 p.m.

SPECIAL ORDER 4:00 P.M.

Supervisor Jew Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved to excuse Supervisor Jew, at his request, from voting on File Nos. 070694, 070695, 0707696 and 070697 because of possible conflict of interest. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

070694 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2462 - 27th Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department's determination that a project at 2462 - 27th Avenue (Building Permit Application No. 2005.10.14.5610, Case No. 2006.0378D) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposal would remove the bedroom at the rear of the building and construct a three-story horizontal addition at the rear of the building and a one-story vertical addition. The vertical addition would set back 11' from the front building wall and measure 53' in depth. There will be a new roof deck built into the roof within the 11' front setback area on a single family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 2399, Lot 026).
(Appellant: Stephen M. Williams)

(Filed May 15, 2007; companion measure to 070695, 070696, 070697; District 4.)

Stephen Williams, Attorney for the appellant
Male Speaker, in support of appellant
Sylvia Johnson, in support of appellant
Karen Mitchell, in support of appellant
Miriam, in support of appellant
Harriet Julinus, in support of appellant
Jennifer Ng, in support of appellant
Nancy Wuerfel, in support of appellant
Inge Horton, in support of appellant
Joseph McInerny, in support of appellant
Chris Mitchell, in support of appellant
Vincent Marsh, in support of appellant

Paul Maltzer and Sophie Middlebrook, Representatives of the Planning Department, reviewed with the Board the Planning Department's recommendation.

Judy Rensler, Attorney for the project sponsor

Rebuttal:
Stephen Williams, Attorney for the Appellant

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

070695 **[Affirming the categorical exemption issued for 2462-27th Avenue]**

Motion affirming the determination by the Planning Department that the 2462-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Maxwell
Absent: 1 - Alioto-Pier
Excused: 1 - Jew

070696 **[Disapproving the categorical exemption issued for 2462-27th Avenue]**

Motion disapproving the determination by the Planning Department that the 2462-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Jew

070697 **[Preparation of findings related to the 2462-27th Avenue project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2462-27th Avenue is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Jew

SPECIAL ORDER 4:30

070708 **[Public Hearing - Appeal of Final Mitigated Negative Declaration - 3400 Cesar Chavez Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on April 19, 2007, approving a Final Mitigated Negative Declaration (File No. 2005.0030E), for the proposed demolition of the existing building and construction of a new four-story building that would house a Walgreens store and up to three other small retail spaces on the ground floor, as well as 60 one-, two-, and three-bedroom owner-occupied residential units above. The building would be about 115,000 gross square feet in size and approximately 50 feet in height. A total of about 97 parking spaces would be provided, with most located in a basement parking garage. The ground-floor retail stores would serve as a podium for a residential courtyard above. Access to the residential and employee parking garage would be from Bartlett Street, while access to surface-level customer parking for the retail stores would be from Cesar Chavez Street. The project site is located within an NC-3 (Moderate Scale Neighborhood Commercial) zoning district and within a 50-X height and bulk district in the Mission neighborhood. (Appellant: Nick Pagoulatos on behalf of the Mission Anti-displacement Coalition.)

(Filed May 22, 2007; companion measure to Files 070709, 070710, 070711, District 9.)

Continued to July 17, 2007

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

070709 **[Affirming adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]**

Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

Continued to July 17, 2007

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

070710 **[Reversing adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]**

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

Continued to July 17, 2007

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

070711 **[Preparation of findings to reverse adoption of the mitigated negative declaration for 3400 Cesar Chavez Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

Continued to July 17, 2007

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

COMMITTEE REPORTS

070721 **[MOU, San Francisco Police Officers' Association (SFPOA)]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abudullah Megaheed; expressed concern with issues related to homelessness
James Chaffee; expressed concern with issues related to the Public Library
Gene Eplett; expressed concern with issues related to the City's budget
Eugene Gordon, Jr.; expressed concern with issues related to violations of human rights
Otto Duffy; expressed concern with various issues
John Di Donna; expressed concern with issues related to Octavia Boulevard
Female Speaker; expressed concern with issues related to the police officers pay
Rev. Amos Brown; expressed concern with issues related to the conduct of Board members during Board meetings
Male Speaker; expressed concern with issues related to the City's priorities in trimming trees
Peter Wiegaudt; expressed concern with issues related to taxi cab drivers
Vicky Lydner; expressed concern with issues related to the Blue Angels
Richard Robinson; expressed concern with issues related to homelessness
Sylvia Johnson; expressed concern with various issues
Richard Knee; expressed concern with issues related to the Blue Angels
Female Speaker; requested clarification on what can be presented at general public comment at Board meetings

Supervisor Alioto-Pier was noted absent at 3:08 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

070914 [Accept and Expend State Grant - Department of the Environment]
Mayor

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $90,000 from the California Department of Toxics Substances for the purpose of collaborating with California Green Business Network members to develop a regional, web-based database that will help Green Business Programs manage and track data.

ADOPTED

070932 [Trevor Hailey Plaque]
Supervisors Dufty, Ammiano

Resolution honoring the unparalleled contributions of Trevor Hailey and recognizing Trevor as the Castro's original unofficial historian through the installation of a plaque at the Castro MUNI station honoring Trevor Hailey and all of her contributions to San Francisco and the Castro neighborhood.

ADOPTED

070934 [Supporting funding for the Central Subway]
Supervisors Peskin, Dufty, Jew

Resolution supporting the pending action by the Metropolitan Transportation Commission to direct $100 million in state infrastructure bond funding and efforts by San Francisco's Congressional Delegation to secure $15 million in Fiscal Year 2008 Federal New Starts funding for the Central Subway project.

Supervisors Dufty and Jew requested to be added as co-sponsors.
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Severed From Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

070892 **[Directing City Staff to report on actions to restrict Bisphenol-A in children's products]**
Supervisor Alioto-Pier

Resolution directing San Francisco's Department of Health and Department of the Environment to submit a report with recommendations on potential actions that can be adopted to address risks to public health from exposure to Bisphenol-A and to base that report on the findings of a National Institute of Health review panel along with the concerns of representatives of the scientific and children's health communities.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

070930 **[Requesting the San Francisco Housing Authority apply for federal grants, seek waiver of property taxes due the City, report the physical conditions of rental properties and status of resolving SFHA's "Troubled" status designation]**
Supervisor Mirkarimi

Resolution requesting the San Francisco Housing Authority to: apply for federal Hope IV funding; seek Board approval of Payment in Lieu of Taxes; Provide copies of any HUD proposed MOU regarding resolution of Troubled status; provide copies and status of property management proposal for Hunter's Point redevelopment area projects; provide a physical inspection report of SFHA Properties and inform residents living in substandard housing of their rights to demand improvements.

Supervisor Elsbernd requested that this matter be referred to Committee.
REFERRED.

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

070931 **[Seeking a permanent halt to the Blue Angels air show over San Francisco]**
Supervisor Daly

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

Supervisor Elsbernd requested that this matter be referred to Committee.
REFERRED.

Supervisor Jew requested that this matter be severed so that it might be considered separately.

070933 [Declaring intent of the City and County of San Francisco with regard to pending legislation amending the Medical Cannabis Act of 2005]

Supervisor Alioto-Pier

Resolution declaring the intent of the City and County of San Francisco not to take enforcement action against those medical cannabis dispensaries that have properly applied for the necessary permits before July 1, 2007, while current legislation is pending.

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved to excuse Supervisor Jew from voting on this matter,due to a possible conflict of interest.
Motion to excuse Supervisor Jew from voting on this matter was passed without objection.

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Jew

070935 [Supporting the Lorraine Hansberry Theatre]

Supervisors Peskin, Dufty, Mirkarimi, Sandoval, Maxwell, McGoldrick, Ammiano, Daly

Resolution supporting the Lorraine Hansberry and its contributions to the cultural life of San Francisco and its Theater District.

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

Supervisors Maxwell, McGoldrick, Ammiano, and Daly requested to be added as a co-sponsors.

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070940 **[Honoring Tim King for his 37 years of dedicated service to the City and County of San Francisco and declaring Friday, June 29th, 2007 as Tim King Day in the City and County of San Francisco]**

Supervisor Dufty

Resolution honoring Tim King for his 37 years of dedicated service to the City and County of San Francisco and declaring Friday, June 29th, 2007 as Tim King Day in the City and County of San Francisco.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

070901 **[Contracting Process for San Francisco General Hospital Rebuild Project]**

Ordinance authorizing the Director of Public Works to issue a Request for Proposals for the services of a Construction Manager/General Contractor for the San Francisco General Hospital Rebuild Program and to award a contract for such services based on the best qualifications and fee. This ordinance further authorizes the Director to negotiate and obtain prices from certain core subcontractors and to allow them to become subcontractors to the CM/GC, provided said prices are validated by City-retained cost estimators. (Public Works Department)

6/15/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070904 **[Permits for communications companies and equipment]**

Ordinance amending Chapter 11, Article 1 of the San Francisco Administrative Code by amending sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings. (Public Works Department)

6/18/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/18/2007.

PROPOSED RESOLUTIONS

070902 **[Master Agreements for Federal and State transportation funds]**

Resolution authorizing the Director of Public Works or his or her designee to execute Master Agreements between the City and County of San Francisco, through its Department of Public Works, and the California Department of Transportation. (Public Works Department)

6/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:59 p.m.

3551 [illegible]

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